

FEDERAL REGISTER

VOLUME 19

NUMBER 36

Washington, Saturday, February 20, 1954

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE

Effective upon publication in the *FEDERAL REGISTER*, paragraph (a) of § 6.162 and subparagraph (3) of § 6.311 (g) are revoked; the headnote of § 6.311 (g) is changed to "Foreign Agricultural Service"; subparagraphs (4) and (5) of § 6.311 (g) are amended; and the positions listed below are added to § 6.311 (g).

§ 6.311 Department of Agriculture.

(g) Foreign Agricultural Service.

- (4) Two Assistant Administrators.
- (5) One Assistant to the Administrator.
- (6) The Administrator.
- (7) The Deputy Administrator.
- (8) One private Secretary to the Administrator.

(R. S. 1763, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 54-1229; Filed, Feb. 19, 1954; 8:52 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

[Administration Letter 320 (441)]

PART 341—APPROVAL AUTHORITY

LIMITATIONS ON LOAN MAKING

Pursuant to authority delegated in the Acting Secretary's Order of December 24, 1953 (19 F. R. 74), the following revisions are made:

1. Paragraphs (d) and (g) of § 341.2, Title 6, Code of Federal Regulations (17 F. R. 7801), are revised to clarify the period during which a borrower can be continuously indebted on operating loans and still be eligible for Production and Subsistence loans, and to read as follows:

§ 341.2 Authority to State Directors.

(d) No Production and Subsistence loan may be made to an applicant who has been indebted continuously for Production and Subsistence loans for seven consecutive years until all his indebtedness under such loans has been paid in full. The seven-year period in which the borrower may have been continuously indebted will begin to run from the date of the check representing the oldest such loan received by the applicant even though that loan may have been settled or paid in full. Settlement for less than the amount owed does not meet the requirement for payment in full. Therefore, if at any time a borrower has been continuously indebted on one or more Production and Subsistence loans for seven or more years and thereafter settles any such indebtedness for less than the full amount owed, he will not be eligible for a further Production and Subsistence loan until he has paid the remaining indebtedness on his loans which have not been settled and has also paid the difference between the settlement figure and the amount owed at the time of settlement with interest on the unpaid principal to the date of actual payment.

(g) No Production and Subsistence loan may be made to an applicant who was indebted on November 1, 1953, for Rural Rehabilitation, Flood and Windstorm Restoration, Wartime Civilian Control Administration, Emergency Crop and Feed, 1934-35 Drought Feed, or Regional Agricultural Credit Corporation loans for production type purposes, until all his indebtedness on such loans and on any Production and Subsistence loans has been paid in full. Settlement of such loans for production type purposes after November 1, 1953, for less than the full amount owed does not meet the requirement for payment in full. Therefore, if a borrower was indebted on November 1, 1953, for any such loan for production type purposes and either (1) settles such a loan for less than the full amount owed or (2) has settled a Production and Subsistence loan at any time for less than the full amount owed, he cannot thereafter obtain a Production and Subsistence loan until he has paid the remaining indebted-

(Continued on p. 993)

CONTENTS

Agricultural Marketing Service	Page
Proposed rule making:	
Milk handling in New Orleans, La.....	1017
Rules and regulations:	
Fresh parsnips; U. S. consumer standards.....	993
Lemons grown in California and Arizona; limitation of shipments.....	997
Milk handling in New York Metropolitan marketing area; cooperative payments:	
Applications.....	995
Approval of regulations.....	996
Oranges, navel, grown in Arizona and designated part of California; limitation of handling.....	994
Agricultural Research Service	
Rules and regulations:	
Quarantine notices, foreign; amendment of flag smut quarantine.....	994
Agriculture Department	
See Agricultural Marketing Service; Agricultural Research Service; Farmers Home Administration.	
Civil Aeronautics Administration	
Rules and regulations:	
Standard instrument approach procedures; procedure alterations.....	1005
Civil Aeronautics Board	
Notices:	
Hearings, etc.:	
City of Newport, Vt.; postponement.....	1023
Republic Carloading and Distributing Co., Inc., et al.....	1023
Proposed rule making:	
Aircraft proving tests; authority of Administrator to waive certain requirements.....	1018
Civil Service Commission	
Rules and regulations:	
Competitive service, exceptions from; Department of Agriculture.....	991
Coast Guard	
Rules and regulations:	
Procedures for purchasing; contracts; miscellaneous amendments.....	1000



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Now Available

**UNITED STATES
GOVERNMENT
ORGANIZATION
MANUAL**

1953-54 Edition
(Revised through July 11)

Published by the Federal Register Division,
the National Archives and Records Service,
General Services Administration

734 Pages—\$1.00 a copy

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D. C.

CONTENTS—Continued

Commerce Department	Page
See Civil Aeronautics Administration; Federal Maritime Board; Foreign Commerce Bureau.	
Defense Mobilization Office	
Notices:	
Defense Warehousemen's Assn. of Chicago; withdrawal of request to participate in agreement.....	1024
Farmers Home Administration	
Rules and regulations:	
Limitations on loan making; approval authority.....	991
Federal Deposit Insurance Corporation	
Proposed rule making:	
Assessments and other provisions.....	1019

RULES AND REGULATIONS

CONTENTS—Continued

Federal Maritime Board	Page
Notices:	
Member lines of the French North Atlantic Westbound Freight Conference et al.; agreements filed for approval.....	1021
Federal Power Commission	
Notices:	
Hearings, etc.:	
Appalachian Electric Power Co.....	1024
City of Fayette, Ala.....	1023
Iroquois Gas Corp. et al.....	1023
Lone Star Gas Co.....	1024
Northwest Alabama Gas District.....	1023
Pacific Power & Light Co.....	1023
Fish and Wildlife Service	
Rules and regulations:	
Alaska Commercial Fisheries; miscellaneous amendments.....	1010
Foreign Commerce Bureau	
Rules and regulations:	
Export regulations; positive list of commodities and related matters; miscellaneous amendments.....	998
Indian Affairs Bureau	
Rules and regulations:	
General credit to Indians; miscellaneous amendments.....	997
Interior Department	
See also Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.	
Notices:	
Bureau of Land Management; delegation of authority in connection with lands and resources.....	1021
Interstate Commerce Commission	
Rules and regulations:	
General rules of practice; notice of filing of applications by motor carriers of property.....	1004
Labor Department	
See Wage and Hour Division.	
Land Management Bureau	
Rules and regulations:	
Arkansas; partial revocation of public land order.....	1003
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Alabama Power Co.....	1027
Cambridge Electric Light Co. General Public Utilities Corp. and Metropolitan Edison Co.....	1025
Indiana & Michigan Electric Co. et al.....	1024
Middle South Utilities, Inc.....	1026
New England Gas and Electric Assn.....	1025
Potomac Edison Co. et al.....	1026
Scripps-Howard Investment Co.....	1027
Treasury Department	
See Coast Guard.	

CONTENTS—Continued

Wage and Hour Division	Page
Notices:	
Learner employment certificates; issuance to various industries.....	1022
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 5	Page
Chapter I:	
Part 6.....	991
Title 6	
Chapter III:	
Part 341.....	991
Title 7	
Chapter I:	
Part 51.....	993
Chapter III:	
Part 319.....	994
Chapter IX:	
Part 914.....	994
Part 927 (2 documents).....	995, 996
Part 942 (proposed).....	1017
Part 953.....	997
Title 12	
Chapter III:	
Part 302 (proposed).....	1019
Part 326 (proposed).....	1019
Part 327 (proposed).....	1019
Title 14	
Chapter I:	
Part 40 (proposed).....	1018
Part 41 (proposed).....	1018
Chapter II:	
Part 609.....	1005
Title 15	
Chapter III:	
Part 399.....	998
Title 25	
Chapter I:	
Part 21.....	997
Title 33	
Chapter I:	
Part 116.....	1000
Part 118.....	1000
Title 43	
Chapter I:	
Appendix (Public land orders):	
834 (revoked in part by PLO 942).....	1003
942.....	1003
Title 49	
Chapter I:	
Part 1.....	1004
Title 50	
Chapter I:	
Part 102.....	1010
Part 103.....	1011
Part 104.....	1011
Part 105.....	1012
Part 107.....	1012
Part 108.....	1012
Part 109.....	1012
Part 111.....	1013
Part 112.....	1013
Part 113.....	1013
Part 114.....	1013
Part 115.....	1013
Part 116.....	1013

CODIFICATION GUIDE—Con.

Title 50—Continued	Page
Chapter I—Continued	
Part 117	1013
Part 118	1014
Part 119	1014
Part 120	1015
Part 121	1015
Part 122	1015
Part 123	1016
Part 124	1016

edness on his loans which have not been settled and has also paid the difference between the amount of such settlement or settlements and the amount owed at the time of settlement with interest on the unpaid principal to the date of actual payment.

2. Subparagraph (2) of § 341.3 (a), Title 6, Code of Federal Regulations (17 F. R. 7801), is revoked to remove the \$1,000 limitation on the authority of county supervisors to approve annual loans.

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies sec. 21, 60 Stat. 1072, as amended; 7 U. S. C. 1007)

Dated: February 15, 1954.

[SEAL] R. B. McLEAISH,
Administrator,
Farmers Home Administration.

[F. R. Doc. 54-1214; Filed, Feb. 19, 1954;
8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

U. S. CONSUMER STANDARDS FOR FRESH PARSNIPS¹

On December 30, 1953, a notice of proposed rule making was published in the FEDERAL REGISTER (18 F. R. 8871) regarding a proposed issuance of United States Consumer Standards for Fresh Parsnips.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Consumer Standards for Fresh Parsnips are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C., 1621 et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953.)

GRADES

Sec.	
51.2310	U. S. Grade A.
51.2311	U. S. Grade B.

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

Sec.	OFF-GRADE
51.2312	Off-grade.
DEFINITIONS	
51.2313	Similar varietal characteristics.
51.2314	Firm.
51.2315	Clean.
51.2316	Well trimmed.
51.2317	Fairly well formed.
51.2318	Fairly smooth.
51.2319	Damage.
51.2320	Diameter.
51.2321	Badly deformed.
51.2322	Slightly rough.

AUTHORITY: §§ 51.2310 to 51.2322 issued under sec. 205, 80 Stat. 1090, Pub. Law 156, 83d Cong., 7 U. S. C. 1624.

GRADES

§ 51.2310 *U. S. Grade A.* U. S. Grade A consists of parsnips of similar varietal characteristics which are firm, clean, well trimmed, fairly well formed, fairly smooth; which are free from soft rot, and from damage caused by freezing, growth cracks, discoloration, pithiness, woodiness, sunburn, oil spray, dry rot, other disease, insects or mechanical or other means. Parsnips on the shown face shall be reasonably representative in size and quality of the contents of the container.

(a) Unless otherwise specified, the diameter of each parsnip shall be not less than 1 inch and not more than 2½ inches.

(b) Incident to proper grading and handling the following tolerances, by count, shall be permitted in any lot:

(1) 5 percent for parsnips which are smaller than the specified minimum diameter;

(2) 5 percent for parsnips which are larger than the specified maximum diameter; and,

(3) 5 percent for parsnips which fail to meet the remaining requirements of the grade, including therein not more than one-half of 1 percent for parsnips affected by soft rot.

§ 51.2311 *U. S. Grade B.* U. S. Grade B consists of parsnips of similar varietal characteristics which are firm, clean, well trimmed, not badly deformed and not more than slightly rough; which are free from soft rot, and free from damage caused by freezing, growth cracks, discoloration, pithiness, woodiness, sunburn, oil spray, dry rot, other disease, insects or mechanical or other means. Parsnips on the shown face shall be reasonably representative in size and quality of the contents of the container.

(a) Unless otherwise specified, the diameter of each parsnip shall be not less than 1 inch and not more than 2½ inches.

(b) Incident to proper grading and handling the following tolerances, by count, shall be permitted in any lot:

(1) 5 percent for parsnips which are smaller than the specified minimum diameter;

(2) 5 percent for parsnips which are larger than the specified maximum diameter; and,

(3) 10 percent for parsnips which fail to meet the remaining requirements of the grade, including therein not more than one-half of 1 percent for parsnips affected by soft rot.

§ 51.2312 *Off-grade.* Off-grade consists of parsnips which fail to meet the requirements of the foregoing grades.

DEFINITIONS

§ 51.2313 *Similar varietal characteristics.* "Similar varietal characteristics" means that the parsnips in the lot are of the same general type.

§ 51.2314 *Firm.* "Firm" means that the root is not soft, flabby or shriveled.

§ 51.2315 *Clean.* "Clean" means that the individual parsnip is practically free from stain, dirt, and other foreign material.

§ 51.2316 *Well trimmed.* "Well trimmed" means that the tops shall be cut back to not more than 1 inch in length. Roots may be clipped, if they are neatly cut off and the appearance is not materially affected by the removal of an excessive amount.

§ 51.2317 *Fairly well formed.* "Fairly well formed" means that the root is not forked or so misshapen as to materially affect its appearance or cause a loss of more than 3 percent, by weight, in the ordinary preparation for use.

§ 51.2318 *Fairly smooth.* "Fairly smooth" means that the root is not rough, ridged or covered with secondary rootlets to an extent which materially affects its appearance or causes a loss of more than 3 percent, by weight, in the ordinary preparation for use.

§ 51.2319 *Damage.* "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the individual parsnip or parsnips in the lot, or causes a loss of more than 3 percent, by weight, in the ordinary preparation for use. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Growth cracks when deep or rough, or when appearance of the parsnip is materially affected;

(b) Discoloration when materially affecting the appearance of the root or when it causes a loss of more than 3 percent, by weight, in the ordinary preparation for use; and,

(c) Sunburn when causing a loss of more than 3 percent, by weight, in the ordinary preparation for use, except that superficial light green color at the stem end which does not materially affect the appearance of the root shall be permitted.

§ 51.2320 *Diameter.* "Diameter" means the greatest dimension of the root measured at right angles to the longitudinal axis.

§ 51.2321 *Badly deformed.* "Badly deformed" means that the parsnip root is so forked or badly misshapen as to seriously affect the appearance or cause a loss of more than 5 percent, by weight, in the ordinary preparation for use.

§ 51.2322 *Slightly rough.* "Slightly rough" means that the parsnip root is not rough, ridged or covered with secondary rootlets to an extent which seriously af-

fects its appearance or causes a loss of more than 5 percent, by weight, in the ordinary preparation for use.

The United States Consumer Standards for Fresh Parsnips contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER.

Dated: February 17, 1954.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 54-1225; Filed, Feb. 19, 1954;
8:51 a. m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FLAG SMUT

AMENDMENT OF FLAG SMUT QUARANTINE

Pursuant to sections 5 and 7 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 1952 ed. 159, 160), notice of quarantine No. 59 relating to the flag smut (§ 319.59; 18 F. R. 2683), is hereby amended by deleting Germany from the foreign countries and localities designated therein, from which wheat grain and certain other wheat products may not be imported except as permitted by regulations supplemental to the notice of quarantine.

At the time Flag Smut Quarantine No. 59 was revised, effective June 8, 1953, available European scientific literature indicated that the Flag smut of wheat, *Urocystis tritici* Koern., existed in Germany. Through a confusion in identity *Urocystis tritici* Koern. was considered by certain European scientists as synonymous with *U. occulta* (Wallr.) Rab., the latter a similar smut attacking rye in Germany. Germany therefore was listed as one of the flag smut infected countries. Most mycologists and plant pathologists now believe these two fungi to be different organisms. Accordingly, this amendment is adopted to conform the quarantine to recent scientific findings.

The purpose of this amendment is to relieve restrictions heretofore imposed. In order to be of maximum benefit to importers of wheat grain and other regulated products, the amendment should be made effective as soon as possible. Accordingly under section 4 of the Administrative Procedure Act (5 U. S. C. 1952 ed. 1003), it is found upon good cause that notice and other public procedure with respect to this amendment are impracticable and contrary to the public interest, and since it relieves restrictions it may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 3, 33 Stat. 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 143, 162. Interprets or applies secs. 5, 7, 37 Stat. 316, 317; 7 U. S. C. 159, 160)

This amendment shall be effective February 23, 1954.

Done at Washington, D. C., this 17th day of February 1954.

[SEAL] B. T. SHAW,
Administrator,
Agricultural Research Service.

[F. R. Doc. 54-1213; Filed, Feb. 19, 1954;
8:49 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 19]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.319 *Navel Orange Regulation* 19—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 14 (18 F. R. 5638), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on February 18, 1954, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared

policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) *Order.* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., February 21, 1954, and ending at 12:01 a. m., P. s. t., February 28, 1954, is hereby fixed as follows:

- (i) District 1: 207,900 boxes;
- (ii) District 2: 288,750 boxes;
- (iii) District 3: Unlimited movement;
- (iv) District 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is set forth below and made a part hereof by this reference.

(3) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(4) As used in this section "handled," "handler," "boxes," "prorate base," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 19th day of February 1954.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Feb. 21 to 12:01 a. m., P. s. t., Feb. 28, 1954]

NAVEL ORANGES

PRORATE DISTRICT NO. 1

Handler	Prorate base (percent)
Total.....	100.0000
A. N. F. Lindsay.....	1.7203
A. N. F. Porterville.....	1.2935
Ivanhoe Cooperative Association.....	.6810
Anderson Packing Co.....	1.5953
Euclid Avenue Orange Association.....	1.1644
Lindsay Mutual Groves.....	1.2952
Martin Ranch.....	.0000
Orange Cove Orange Growers.....	2.7068
Woodlake Packing House.....	1.8794
Doffmeyer & Son, W. Todd.....	.5026
Earlibest Orange Association.....	1.7369
Elderwood Citrus Association.....	1.5458
Exeter Citrus Association.....	3.5437
Exeter Orange Growers Association.....	1.7759
Exeter Orchards Association.....	1.4519
Hillside Packing Association.....	1.4757
Ivanhoe Mutual Orange Association.....	1.6828
Klink Citrus Association.....	4.0199
Lemon Cove Association.....	.9490
Lindsay Citrus Growers Association.....	2.2025
Lindsay Cooperative Citrus Association.....	1.5110
Lindsay Fruit Association.....	2.3081

PRORATE BASE SCHEDULE—Continued

NAVEL ORANGES—continued

PRORATE DISTRICT NO. 1—continued

Handler	Prorate base (percent)
Lindsay Orange Growers Association	0.8673
Naranjo Packing House Co.	1.7141
Orange Cove Citrus Association	3.9714
Orange Packing Co.	1.0639
Orosi Foothill Citrus Association	1.4730
Paloma Citrus Fruit Association	.7872
Rocky Hill Citrus Association	1.6882
Sanger Citrus Association	3.3873
Sequoia Citrus Association	.4015
Stark Packing Co.	2.7492
Visalia Citrus Association	2.3380
Waddell & Son	2.5221
Baird-Neece Corp.	1.9233
Beattie Association, D. A.	.5284
Grand View Heights Citrus Association	1.9820
Magnolia Citrus Association	3.5071
Porterville Citrus Association	1.6573
Randolph Marketing Co.	1.7043
Richgrove-Jasmine Citrus Association	1.5832
Strathmore Cooperative Citrus Association	.4583
Strathmore District Orange Association	1.9033
Strathmore Packing House	2.1672
Sunflower Citrus Growers	2.8084
Sunland Packing House Co.	2.8109
Terra Bella Citrus Association	1.2989
Tule River Citrus Association	.9181
Adams, Thomas	.0068
Baker Ranch Packing House	.1666
Barkins, Fred A. Jr.	.0212
California Citrus Groves, Inc., Ltd.	2.9045
Darby, Fred J.	.0240
Dubendorf, John	.1505
Evans Bros. Packing Co.	.1318
Far West Produce Distributors	.0621
Feltes, A. E.	.0898
Foothill Packing Co.	.0171
Haas & Ferry	.1935
Harding & Leggett	1.8480
Independent Growers, Inc.	1.8351
Lo Bue Bros.	.6805
Maas, W. A.	.0893
Marks, W. & M.	.1843
Morin, Carl W.	.0207
Orange Belt Fruit Distributors	.6197
Paramount Citrus Association	8.0689
Reimers, Don H.	.2431
Riverside Fruit Co.	.2220
Sequoia Cider Mill	.0170
Stephens & Cain	.5128
Zaninovich Bros., Inc.	1.6460

PRORATE DISTRICT NO. 2

Total.....100.0000

A. N. F. Corona	.5212
A. N. F. Fullerton	.0205
A. N. F. Orange	.0217
A. N. F. Riverside	1.4709
A. N. F. Santa Paula	.1266
Eadington Fruit Co.	.8435
Signal Fruit Association	1.1977
Bryn Mawr Mutual Orange Association	.4343
Chula Vista Mutual Lemon Association	.1063
Daniels, Inc., Ward	.3331
Euclid Avenue Orange Association	2.6955
Foothill Citrus Union, Inc.	.2398
Index Mutual Association	.0107
La Verne Cooperative Citrus Association	3.0170
Olive Hillside Groves, Inc.	.0081
Redlands Foothill Groves	2.7376
Redlands Mutual Orange Association	1.3036
Azusa Citrus Association	.6527
Covina Citrus Association	1.9642
Glendora Citrus Association	1.6354

PRORATE BASE SCHEDULE—Continued

NAVEL ORANGES—continued

PRORATE DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Valencia Heights Orchards Association	0.5783
Gold Buckle Association	4.1009
La Verne Orange Association	4.6444
Anaheim Valencia Orange Association	.0120
Fullerton Mutual Orange Association	.2777
La Habra Citrus Association	.1048
Yorba Linda Citrus Association	.0805
El Cajon Valley Citrus Association	.1465
Escondido Orange Association	.6224
Citrus Fruit Growers	.6287
Cucamonga Mesa Growers	.9180
Etiwanda Citrus Fruit Association	.1341
Upland Citrus Association	3.3039
Consolidated Orange Growers	.0210
Garden Grove Citrus Association	.0203
Goldenwest Citrus Association	.1683
Olive Heights Citrus Association	.0597
Santiago Orange Growers Association	.1075
Villa Park Orchards Association	.0231
Bradford Bros., Inc.	.2018
Placentia Mutual Orange Association	.1552
Placentia Orange Growers Association	.2435
Yorba Orange Growers Association	.0486
Corona Citrus Association	1.1012
Jameson Co.	.5617
Orange Heights Orange Association	4.0458
Crafton Orange Growers Association	1.8062
East Highlands Citrus Association	.5233
Redlands Heights Groves	.9041
Redlands Orangedale Association	1.1100
Rialto-Fontana Citrus Association	.1965
Bryn Mawr Fruit Growers Association	1.2347
Mission Citrus Association	.8634
Redlands Cooperative Fruit Association	2.1849
Redlands Orange Growers Association	1.4904
Redlands Select Groves	.5112
Rialto Orange Co.	.4676
Southern Citrus Growers	1.1635
United Citrus Growers	.9753
Arlington Heights Citrus Co.	1.6854
Blue Banner, Inc.	2.5973
Brown Estate, L. V. W.	2.2634
Gavilan Citrus Association	2.1163
McDermont Fruit Co.	1.6893
Monte Vista Citrus Association	1.7066
National Orange Co.	1.6910
Riverside-Highgrove Citrus Association	1.8370
Victoria Avenue Citrus Association	3.1987
Claremont Citrus Association	.6434
College Heights Orange & Lemon Association	2.1567
Indian Hill Citrus Association	1.0363
Pomona Fruit Growers Exchange	1.2081
Walnut Fruit Growers Association	.6268
West Ontario Citrus Association	.8358
Escondido Cooperative Citrus Association	.1061
Camarillo Citrus Association	.0041
Fillmore Citrus Association	1.0719
Mupu Citrus Association	.0043
Ojai Orange Association	1.0266
Piru Citrus Association	1.3208
Rancho Sespe	.0013
San Fernando Heights Orange Association	.5326
Santa Paula Orange Association	.0459
Tapo Citrus Association	.0128
Ventura County Citrus Association	.0176
East Whittier Citrus Association	.0041
North Whittier Heights	.1315
Placentia Cooperative Orange Association	.0000

PRORATE BASE SCHEDULE—Continued

NAVEL ORANGES—continued

PRORATE DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Sierra Madre-Lamanda Citrus Association	0.0672
A. J. Packing Co.	.1565
Babijuce Corporation of California	.0147
Cherokee Citrus Co., Inc.	1.0185
Dunning, Vera Hueck	.1799
Evans Bros., Packing Co.	1.1784
Far West Produce Distributors	.1009
Gold Banner Association	2.3988
Gold Seal Producers, Inc.	.1401
Granada Packing House	.0215
Holland, M. J.	.0216
Orange Belt Fruit Distributors	.7419
Panno Fruit Co., Carlo	.0418
Paramount Citrus Association	.1940
Riverside Fruit Co.	.3934
Rotolo Bros.	.0259
San Antonio Orchards Co.	1.2083
Smallwood, Luella L.	.0086
Spire, Frank S.	.0097
Stephens & Cain	.2220
Wall, E. T., Grower-Shipper	2.0672
Western Fruit Growers, Inc.	5.1130

[F. R. Doc. 54-1267; Filed, Feb. 19, 1954; 11:46 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

SUBPART—COOPERATIVE PAYMENTS RULES AND REGULATIONS APPLICATION

Pursuant to provisions of § 927.76 of the order, as amended (7 CFR, Part 927, 18 F. R. 7224, 7581; 19 F. R. 556), regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (5 U. S. C. 1001 et seq.) a public meeting was held at Syracuse, New York, on January 21 and 22, 1954, to consider proposals for the issuance of regulations pursuant to cooperative payment provisions of the said order. Notice of such public meeting was issued on January 11, 1954, and published in the FEDERAL REGISTER on January 15, 1954 (19 F. R. 265).

After due consideration of the data, views, and arguments presented by interested parties at such public meeting, the regulations with respect to the application for payments are hereby issued subject to the approval of the Secretary of Agriculture, in order to facilitate the filing of applications by interested parties prior to March 15, 1954. The meeting with respect to other proposed regulations will be reopened to permit further consideration. The regulations contained herein read as follows:

Sec.	
927.400	Form of application.
927.401	Legal organization of applicant.
927.402	Data for applicant cooperative.
927.403	Data for applicant federation.
927.404	Operating facilities.
927.405	Program of market-wide services.
927.406	Personnel.
927.407	Control of utilization.
927.408	Additional information.

AUTHORITY: §§ 927.400 to 927.408 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

§ 927.400 *Form of application.* Any applicant for cooperative payments pursuant to § 927.76 shall submit an application to the market administrator, on forms and in the manner prescribed by the market administrator. Such application to contain the following information:

(a) The name and address of the applicant.

(b) The type of payments applied for.

(1) Cooperative or federation.

(2) Not less than 4,000 members, or not less than 6,000 members.

(3) Operating or non-operating.

(c) Such appropriate additional information as required by §§ 927.401 through 927.408.

§ 927.401 *Legal organization of applicant.* Each applicant shall submit the following information with respect to its organization:

(a) When, where, and under what laws it is incorporated.

(b) Copy of charter and by-laws.

(c) Names and addresses of directors and officers.

§ 927.402 *Data for applicant cooperative.* An applicant cooperative shall submit the following information:

(a) Specimen copy of contract or other document denoting producer membership.

(b) Percentage of business with non-members.

(c) The number of members.

(d) The names of pool plants to which the members are delivering milk.

(e) Amount per hundredweight received from members and method of collection.

§ 927.403 *Data for applicant federation.* An applicant federation shall submit the following information:

(a) When, where and under what law each of its federated cooperatives is incorporated.

(b) The names and addresses of directors and officers of each of the federated cooperatives.

(c) Copy of the charter, by-laws, and specimen of documents denoting producer membership of each federated cooperative.

(d) A copy of the contract between the federation and each of its federated cooperatives.

(e) The amount per hundredweight each federated cooperative received from members and method of collection.

(f) The percentage of business which each of the federated cooperatives does with non-members.

(g) Number of members of each federated cooperative.

(h) The names of the pool plants to which the members of each federated cooperative are delivering milk.

(i) The names and addresses of any affiliated organization which is not a federated cooperative and the nature of such affiliation.

§ 927.404 *Operating facilities.* Any cooperative or federation which applies for payment on the basis of operating facilities shall report the following:

(a) The location of plants operated by the cooperative or by its federated cooperative.

(b) Percentage of total members' milk received from members at plants operated by the cooperative or by its federated cooperatives.

§ 927.405 *Program of market-wide services.* Each applicant shall specify its program, including its financial program, for the performance of market-wide services with respect to:

(a) Analyzing milk marketing problems and their solution, conducting market research and maintaining current information as to all market developments, preparing and assembling statistical data relative to prices and marketing conditions, and making an economic analysis of all such data;

(b) Determining the need for the formulation of amendments to the order and proposing such amendments or requesting other appropriate action by the Secretary or the market administrator in the light of changing conditions;

(c) Participating in proceedings with respect to amendments to the order, including the preparation and presentation of evidence at public hearings, the submission of appropriate briefs and exceptions, and also participating, by voting or otherwise, in the referendum relative to amendments;

(d) Participating in the meetings called by the market administrator, such as meetings with respect to rules and regulations issued under the order, including activities such as the preparation and presentation of data at such meetings and briefs for submission thereafter, and

(e) Conducting a comprehensive educational program among producers—i. e., members and non-members of cooperatives—and keeping such producers well informed for participating in the activities under the regulatory order and, as a part of such program, issuing publications that contain relevant data and information about the order and its operation, and the distribution of such publication to members and, on the same subscription basis, to non-members who request it, and holding meetings at which members and non-members may attend.

§ 927.406 *Personnel.* With respect to its ability to perform the market-wide services, each cooperative or federation shall supply the following information concerning personnel:

(a) The numbers of hired personnel listed according to the type of jobs performed and showing for each whether employment is full time or part-time.

(b) Contemplated changes in personnel.

(c) Training and experience of specialized personnel to qualify them for performing their duties.

§ 927.407 *Control of utilization.* (a) Each applicant shall state how it is assured that it is in no way precluded, or in the case of a federation how the federated cooperatives are assured that they are not precluded, from arranging for the utilization of milk under their respective control so as to yield the highest available net return to all producers without displacing an equivalent quantity of producer milk in the preferred classifications.

(b) In the event that the cooperative, or the federated cooperatives, have contracts with handlers for the disposal of milk, the applicant shall submit a copy of such contract, or such parts of the contract, under which the cooperative is able to comply with paragraph (b) (4) of § 927.76.

§ 927.408. *Additional information.* (a) The market administrator may request of any applicant additional information if that contained in the application is insufficient to determine whether the applicant is qualified to receive payments.

(b) Prior to the issuance of a determination by the market administrator, an applicant may submit additional information which may be pertinent either because of the issuance of rules with respect to qualification, or because of a change in the program of the applicant.

Issued at New York, New York, this 10th day of February 1954.

NOTE: For approval of these regulations by the Secretary of Agriculture, see F. R. Doc. 54-1226, *infra*.

[SEAL]

C. J. BLANFORD,
Market Administrator.

[F. R. Doc. 54-1227; Filed, Feb. 19, 1954; 8:52 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

SUBPART—COOPERATIVE PAYMENTS RULES AND REGULATIONS

APPROVAL OF REGULATIONS

Pursuant to the provisions of § 927.76 of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area (7 CFR Part 927; 18 F. R. 7224, 7581, 19 F. R. 556), the regulations issued on February 10, 1954 by the market administrator of said order relating to applications for cooperative payments under § 927.76 of said order, are hereby approved and made effective when published in the FEDERAL REGISTER.

There is found to be good cause for making these regulations effective promptly in that (1) proposed regulations in this matter were the subject of a public meeting held on January 21-22, 1954 pursuant to notice issued on January 11, 1954 (19 F. R. 265), (2) delay in making the regulations effective would preclude the timely filing of applications by cooperative associations of producers and federations of such associations to receive payments for which provision is made in the order, and (3) no obligation, restriction, or requirement is imposed by these regulations which necessitates extensive or substantial preparation by any person prior to their effective date.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

NOTE: For regulations issued on February 10, 1954 see F. R. Doc. 54-1227, *supra*.

Done at Washington, D. C., this 17th day of February 1954.

[SEAL]

JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 54-1226; Filed, Feb. 19, 1954; 8:52 a. m.]

[Lemon Reg. 525]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.632 *Lemon Regulation 525—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 18 F. R. 6767), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 17, 1954, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 21, 1954, and ending at 12:01 a. m., P. s. t., February 28, 1954, is hereby fixed as follows:

(i) District 1: 20 carloads;

(ii) District 2: 205 carloads;

(iii) District 3: Unlimited movement.
(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is set forth below and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 18th day of February 1954.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

PRORATE BASE SCHEDULE

[Storage Date: Feb. 14, 1954]

DISTRICT NO. 1

[12:01 a. m. Feb. 21, 1954, to 12:01 a. m.
Mar. 7, 1954]

Handler	Prorate base (percent)
Total	100.000

Klink Citrus Association	33.723
Lemon Cove Association	18.221
Tulare County Lemon & Grapefruit Association	40.329
California Citrus Groves, Inc., Ltd.	.003
Harding & Leggett	3.425
Paramount Citrus Association, Inc.	2.833
Santa Rosa Lemon Co.	.176
Zaninovich Bros., Inc.	1.052
Far West Produce Distributors	.238

DISTRICT NO. 2

Total	100.000
-------	---------

American National Foods, Corona	.687
American National Foods, Fullerton	.822
American National Foods, Upland	1.123
Buenaventura Lemon Co.	.668
Consolidated Lemon Co.	1.434
Ventura Pacific Co.	2.029
Chula Vista Mutual Lemon Association	.437
Euclid Lemon Association	1.809
Index Mutual Association	.318
La Verne Cooperative Citrus Association	2.151
Ventura Coastal Lemon Co.	1.332
Ventura Processors	1.546
Glendora Lemon Growers Association	2.307
La Verne Lemon Association	1.074
La Habra Citrus Association	.922
Yorba Linda Citrus Association	.419
Escondido Lemon Association	3.637
Cucamonga Mesa Growers	2.823
Etiwanda Citrus Fruit Association	1.370
San Dimas Lemon Association	1.588
Upland Lemon Growers Association	10.290
Central Lemon Association	.580
Irvine Citrus Association	.532
Placentia Mutual Orange Association	1.000
Corona Citrus Association	.403
Corona Foothill Lemon Co.	3.161
Jameson Co.	1.244
Arlington Heights Citrus Co.	2.050
College Heights Orange & Lemon Association	5.409
Chula Vista Citrus Association	.574
Escondido Cooperative Citrus Association	.277
Fallbrook Citrus Association	2.304
Lemon Grove Citrus Association	.280
Carpinteria Lemon Association	1.610

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Carpinteria Mutual Citrus Association	2.321
Goleta Lemon Association	2.405
Johnston Fruit Co.	3.658
Briggs Lemon Association	.943
Fillmore Lemon Association	1.607
Oxnard Citrus Association	3.494
Rancho Sespe	.703
San Fernando Heights Lemon Association	5.053
Santa Clara Lemon Association	3.107
Santa Paula Citrus Fruit Association	1.983
Saticoy Lemon Association	2.118
Seaboard Lemon Association	2.898
Somis Lemon Association	3.015
Ventura Citrus Association	.595
Ventura County Citrus Association	.259
Limoneira Co.	.921
Teague-McKevett Association	.710
East Whittier Citrus Association	.270
Murphy Ranch Co.	.688
North Whittier Heights Citrus Association	.729
Sierra Madre-Lamanda Citrus Association	1.053
Far West Produce Distributors	.121
Huarte, Joseph D.	.000
Paramount Citrus Association, Inc.	3.134
Santa Rosa Lemon Co.	.025

[F. R. Doc. 54-1251; Filed, Feb. 19, 1954; 8:54 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 21—GENERAL CREDIT TO INDIANS

MISCELLANEOUS AMENDMENTS

Section 21.4 of Title 25, CFR, approved by the Secretary of the Interior December 8, 1950; § 21.6 (d) approved April 13, 1953; and §§ 21.9 and 21.13 approved December 18, 1945, are amended to read as follows:

§ 21.4 *Purpose of loans.* Borrowers from the United States, except individual Indians, may use funds borrowed to make loans to individual members, cooperative associations, and subordinate bands, for any purpose which will promote the economic development of the group or individual, and to finance corporate or tribal enterprises. Eligible individual Indians may receive loans from the United States to promote their economic development.

§ 21.6 *Interest.* * * *

(d) Nothing contained in this section shall be deemed to affect the rate of interest on loan agreements in effect April 13, 1953, or on the unpaid balance of such loan agreements which is made payable under another loan agreement entered into or modified after April 13, 1953. The date of maturity of any indebtedness under any loan agreement entered into prior to April 13, 1953, shall not be extended.

§ 21.9 *Security.* Loans shall be secured by such securities as the Secretary or his authorized representative may require. Unless otherwise provided in the loan agreement, title to all property purchased by a borrower with a loan from the United States shall be taken in the name of the borrower. All securing documents shall be filed or recorded in accordance with State or Territorial law.

§ 21.13 *Relending by borrower.* (a) Funds loaned by the United States to a corporation, tribe, band, or credit association, may be relented by it, with the approval of the Commissioner or his authorized representative, but the Commissioner may authorize such lenders to approve applications for particular types of loans up to a specified amount.

(b) Such loans shall be secured by such securities as the lender and the approving officer may require. Individually owned trust or restricted land may be mortgaged for such loans in accordance with § 241.52 of this chapter. All securing documents shall be filed or recorded in accordance with State or Territorial law.

(c) Unless otherwise authorized by the Commissioner in the case of particular loans, title to property purchased with such loans received from such relending organizations shall be taken in the name of the borrower.

(Sec. 10, 48 Stat. 986; 25 U. S. C. 470)

Dated: February 17, 1954.

ORME LEWIS,

Assistant Secretary of the Interior.

[F. R. Doc. 54-1218; Filed, Feb. 19, 1954; 8:50 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[6th Gen. Rev. of Export Regs., Amdt. P. L. 68¹]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
812100	Biologies (all forms): Human blood plasma (report blood plasma for relief in 98846).
820900	Chemical specialty compounds, n. e. c.: Silica gel.
850900	Nitrogenous fertilizer materials (report nitrogenous phosphatic types in 854100, 854900).
850900	Urea (report urea for industrial use in 838500).
912500	Other sensitized films, unexposed: Aerial film and microfilm.

This part of the amendment shall become effective as of February 11, 1954.

2. The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a single Schedule B number, the entry to be superseded is identified by a numerical reference enclosed in parentheses following the commodity description in the revised entry.

¹ This amendment was published in Current Export Bulletin No. 724, dated February 11, 1954.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
540905★	Abrasives: Diamond grinding wheels, sticks, bones, and laps (specify carat weight and grit size of contained diamonds) (report loose industrial diamonds in 599005; diamond powder or dust, including compounds, in 540910). ¹⁸	Carat	TOOL 1	25	RO
541110	Fused alumina (aluminum oxide), crude and in grains ¹⁹	Lb.	MINL 1	100	R
541120	Fused silicon carbide, crude and in grains ¹⁹	Lb.	MINL 1	100	RO
541140	Boron carbide ¹⁹	Lb.	MINL 1	100	RO
547300★	Carbon or graphite products (natural and artificial): Electrodes for furnace or electrolytic work (specify size). ¹⁹	Lb.	MINL	100	RO
548050★	Refractory crucibles, retorts, and stoppers (specify whether natural or artificial). ¹⁹	No.	MINL	100	RO
548098★	Carbon or artificial graphite electrodes other than for furnace or electrolytic work (specify size) (report electrodes for furnace or electrolytic work in 547300). (2) ¹⁹	Lb.	MINL	100	RO
548098★	Carbon and graphite products (including artificial), n. e. c. (specify by name). (4) ¹⁹	Lb.	MINL	100	RO
571410	Sulfur, crude (containing 85 percent or more sulfur) (report sulfur ores or crude sulfur of less than 85 percent sulfur content in 599098). ¹⁹	L. ton	SALT 36	25	RO
571500	Sulfur, crushed, ground, refined, sublimed and flowers ¹⁹	Lb.	SALT 36	25	RO
573600	Magnesium silicate (talc, steatite and soapstone), crude and ground (except packaged extender pigments). ¹⁹	L. ton	MINL	100	RO
573700	Magnesium silicate (talc, steatite, and soapstone) manufactures, except soapstone slabs. ¹⁹	Lb.	MINL	100	RO
590505★	Quartz crystal, raw ¹⁹		RARA 50	10	RO
601150	Tin-plated scrap (not detinned or semi-detinned) (include scrap for recovery of tin), except tin cans, old, crushed (report detinned, semidetinned, or rusted scrap in 601040 and 601090). ¹⁹	S. ton	STEE	100	RO
601704	Steel ingots, blooms, billets, slabs, sheet bars, and tin-plate bars: Alloy steel including stainless: Billets, projectile and shell steel. ¹⁹	S. ton	STEE	100	RO
619040	Welding rods and wires, including brazing rods: Cobalt (containing 15 percent or more cobalt by weight) (formerly 619039). (2) ¹⁹	Lb.	MINL	None	RO
619040	Molybdenum (formerly 619039). (4) ¹⁹	Lb.	MINL	None	RO
619040	Tungsten, including tungsten carbide (formerly 619039). (5) ¹⁹	Lb.	MINL	None	RO
619130	Metal powders: Aluminum or aluminum-bronze powders and pastes (aluminum content). ¹⁹	C. lb.	NONF	100	RO
619140★	Beryllium copper. (1) ¹⁹	Lb.	NONF	500	RO
619140	Other copper and copper-base alloys (specify type of metal and copper content). (2) ¹⁹	Lb.	NONF	100	RO
619152★	Magnesium ¹⁹	Lb.	MINL	100	RO
619153	Molybdenum ¹⁹	Lb.	MINL	None	RO
619155	Tantalum ¹⁹	Lb.	MINL	None	RO
619650	Metal manufactures, n. e. c., and parts, n. e. c.: Other metals, except precious (specify by name and type of metal): Other nickel manufactures, n. e. c. (7) ¹⁹	Lb.	CDGS	100	RO
621303	Ferromanganese (specify manganese content). ¹⁹	Lb.	MINL	100	RO
622050	Ferrochrome (specify chrome content). ¹⁹	Lb.	MINL	100	RO
622065	Ferromolybdenum (specify molybdenum content). ¹⁹	Lb.	MINL	None	RO
622095	Ferrotitanium and ferro-carbon-titanium (specify titanium content). ¹⁹	Lb.	MINL	None	RO
622098	Ferrocolumbium (specify columbium content). (1) ¹⁹	Lb.	MINL	None	RO
622098	Ferrocolumbium-tantalum (specify alloy content). (2) ¹⁹	Lb.	MINL	None	RO
630670★	Other aluminum metal and alloys in crude form (including ingots, pigs, blooms, and slabs). (2) ¹⁹	Lb.	NONF	100	RO
641300★	Refined copper in cathodes, billets, ingots, wire bars and other crude forms (include anodes) (report copper bars except wire bars in 642400). ¹⁹	Lb.	NONF	1,000	RO
641200★	Copper scrap (new and old): Other copper scrap. (2) ¹⁹	Lb.	NONF 13	1,000	RO
642900★	Copper semifabricated forms, n. e. c. (specify by name). ¹⁹	Lb.	NONF	100	RO
644000★	Copper-base alloy scrap (new and old). ¹⁹	Lb.	NONF 13	1,000	RO
644100★	Copper-base alloy ingots. (1 and 2) ¹⁹	Lb.	NONF	1,000	RO
647913★	Brass and bronze castings and forgings, rough and semi-finished. (1) ¹⁹	Lb.	NONF	200	RO
647913★	Other copper base alloy castings and forgings, rough and semi-finished (specify copper content). (2) ¹⁹	Lb.	NONF	100	RO
647950★	Copper-base alloy semifabricated forms, n. e. c. (specify by name). ¹⁹	Lb.	NONF	100	RO
650500	Other lead scrap (new and old). (2) ¹⁹	Lb.	NONF	500	RO
650610	Lead plate, including battery plate, not assembled as complete battery units. ¹⁹	Lb.	NONF 6	500	RO
651510	Type metal ¹⁹	Lb.	NONF 5	500	RO
651510	Nickel ore, concentrates, and matte. ¹⁹	Lb.	NONF	None	RO
651510	Tin alloy scrap (new and old) (including tin-base Babbitt metal dross and scrap and tin-base antifriction metal dross and scrap). ¹⁹	Lb.	NONF 7	100	RO
656307	Tin metal in ingots, pigs, bars, blocks, anodes, cathodes, slabs, and other crude forms (includes tin slugs, formerly 619930). (2) ¹⁹	Lb.	NONF 8	100	RO
656347	Tin-base Babbitt metal, except scrap and dross (50 percent or more of tin by weight) (report scrap and dross in 656501; lead-base Babbitt metal in 651516; Babbitt metal bearings in 760100-760320). ¹⁹	Lb.	NONF 8	100	RO
657050	Zinc scrap (zinc content) (report zinc dust in 619158). ¹⁹	C. Lb.	NONF 2	500	RO
657101	Zinc cast in slabs, pigs, or blocks: Special high grade, containing not over 0.002 percent lead, not over 0.005 percent iron, not over 0.005 percent cadmium, no aluminum; and at least 99.99 percent zinc. ¹⁹	Lb.	NONF 9	500	RO
657103	High grade, containing not over 0.07 percent lead, not over 0.02 percent iron, not over 0.07 percent cadmium, no aluminum, and at least 99.90 percent zinc. ¹⁹	Lb.	NONF 9	500	RO
657208	Zinc rolled in sheets, plates, and strips. ¹⁹	Lb.	NONF 10	500	RO
664520	Chromium or chromite: Ores and concentrates. ¹⁹	Lb.	MINL	300	RO
664526	Cobalt: Cobalt dental alloys. (1) ¹⁹	Lb.	MINL	None	RO

See footnotes at end of tables.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
	Tractors (except contractors' wheel type, and industrial type) (report horsepower rating according to Nebraska Maximum Test or manufacturer's equivalent) (report contractors' wheel type in 72024; industrial type in 72020):				
	Wheel-type tractors:				
	Raw-crop type tractors, new:				
787610	8 under 15 belt horsepower ¹⁸	No.	AGMT 1	None	R
787630	15 under 25 belt horsepower ¹⁸	No.	AGMT 1	None	R
787660	25 under 35 belt horsepower ¹⁸	No.	AGMT 1	None	R
787690	35 under 45 belt horsepower ¹⁸	No.	AGMT 1	None	R
787700	45 under 60 belt horsepower. (1) ¹⁸	No.	AGMT 1	None	R
787700	60 and over belt horsepower. (2) ¹⁸	No.	AGMT 1	None	RO
	Standard wheel type tractors, new:				
787710	8 under 20 belt horsepower ¹⁸	No.	AGMT 1	None	R
787740	20 under 25 belt horsepower ¹⁸	No.	AGMT 1	None	R
787760	25 under 35 belt horsepower ¹⁸	No.	AGMT 1	None	R
787790	35 under 45 belt horsepower ¹⁸	No.	AGMT 1	None	R
787795	45 under 60 belt horsepower. (1) ¹⁸	No.	AGMT 1	None	R
787795	60 and over belt horsepower. (2) ¹⁸	No.	AGMT 1	None	RO
	Row-crop and standard wheel type tractors, used and rebuilt:				
787800	Under 60 belt horsepower. (1) ¹⁸	No.	AGMT 1	None	R
787800	60 and over belt horsepower. (2) ¹⁸	No.	AGMT 1	None	RO
802500	Coal-tar acids, crude and intermediate:				
	Phenol or carbolic acid ¹⁹	Lb.	COTA	100	RO
	Coal-tar intermediates, except coal-tar acids:				
	Other coal-tar intermediates (specify by name):				
802590	Styrene. (15) ¹⁹	Lb.	COTA 61	500	RO
820589	Agricultural sulfur, n. e. c. (report ground sulfur, unconditioned, for use on plants or soils in 571500):	Lb.	AGCH 2	100	RO
	Agricultural sulfur dusts and spray concentrates containing 85 percent or more sulfur, such as, but not limited to, conditioned dusting sulfur and wettable sulfur (specify by name). ²⁰				
	Plastics and resin materials:				
	Cellulose plastic materials (report manufactured plastic products in 981510 and 981560):				
826150	Ethyl cellulose in all unfinished forms ²¹	Lb.	RESN	100	RO
829984	Hydraulic fluids and oils, except of petroleum origin (report hydraulic fluids and oils of petroleum origin in 505900). ²²	Gal.	SALT	100	RO
829990	Chemical specialty compounds, n. e. c.:				
829990	Combustion catalysts containing cobalt. (3) ²³	Lb.	SALT	100	RO
829990	Molybdenum lubricants (report molybdenum disulfide in powder form under 839900). (5) ²⁴	Lb.	SALT	25	RO
	Acids and anhydrides:				
	Organic:				
830300	Naphthenic acid. (2) ²⁵	Lb.	ORGN	100	RO
831520	Alcohols (report jet fuels in 829920):				
	Propyl alcohol, secondary (isopropanol; isopropyl alcohol). ²⁶	Lb.	ORGN 67	100	R
832500	Synthetic collecting reagents for concentration of ores, metals, or minerals. ²⁷	Lb.	ORGN	100	RO
	Organic chemicals not of coal-tar origin, n. e. c. (specify by name):				
832990	Glycol compounds. (5) ²⁸	Lb.	ORGN	100	RO
	Ammonium compounds, except fertilizers (report fertilizers and fertilizer materials in 830500-855100):				
838500	Ammonium compounds, n. e. c. (specify by name):				
	Ammonium molybdate. (1) ²⁹	Lb.	SALT	25	RO
	Metal salts of organic compounds, except paint and varnish driers (specify by name) (report paint and varnish driers in 843600):				
839750	Cobalt salts of organic compounds. (4) ³⁰	Lb.	SALT	100	RO
839750	Nickel salts of organic compounds. (7) ³¹	Lb.	SALT 65	100	RO
839900	Other industrial chemicals:				
	Cobalt compounds (report cobalt salts of organic compounds in 839750; cobalt-containing pigments in 842900; and cobalt-containing paint and varnish driers in 843600). (10) ³²		SALT	100	RO
839900	Molybdenum salts and compounds, n. e. c. (report molybdenum oxide, molybdenum trioxide and molybdenic acid, except chemically pure grade, in 664550; report chemically pure grade in 829975). (30) ³³	Lb.	SALT 64	25	RO
	Chemical pigments:				
842900	Chemical pigments, n. e. c.:				
843600	Cobalt-containing pigments. (4) ³⁴	Lb.	SALT	100	RO
843600	Paint and varnish driers containing cobalt ³⁵	Lb.	PLAT	100	RO

¹ The GLV dollar-value limit is increased.

² The letter "B" is deleted in the column headed "Commodity Lists," indicating that the commodity is no longer subject to DL restrictions (see § 374.2 of this subchapter), and is no longer excepted from the Time Limit licensing procedure (see Part 377 of this subchapter).

³ The letter "E" is added in the column headed "Commodity Lists," indicating that the commodity may be exported under the Periodic Requirements licensing procedure (see Part 376 of this subchapter).

⁴ The letter "G" is deleted in the column headed "Commodity Lists," indicating that the commodity may be exported to Group O destinations under general license GLV within the \$500 dollar-value limit (see § 371.10 (c) of this subchapter).

⁵ The destination control is changed from RO to R.

⁶ The commodity description is revised without substantive change.

⁷ The commodity is excepted from the provisions of General In-Transit License GIT (see § 371.9 (c) of this subchapter), effective March 13, 1954.

⁸ The GLV dollar-value limit for beryllium-copper ingots is increased from \$300 to \$1,000.

⁹ Parts and accessories, n.e.c., specially fabricated for motors of less than 1 horsepower are deleted.

¹⁰ The Schedule B number is changed.

¹¹ These entries include all electronic amplifiers other than audio-amplifying.

¹² Agricultural sulfur dusts and spray concentrates containing less than 85 percent sulfur are deleted.

¹³ The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c) of this subchapter.

This part of the amendment shall become effective as of February 11, 1954, unless otherwise indicated in the footnotes.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,

Director,

Bureau of Foreign Commerce.

[F. R. Doc. 54-1120; Filed, Feb. 19, 1954; 8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter J—Procurement

[CGFR 54-7]

PART 116—PROCEDURES FOR PURCHASING

PART 118—CONTRACTS

MISCELLANEOUS AMENDMENTS

The amendments to §§ 116.01-8, 116.01-9, 116.01-10, 116.01-45, 116.01-140, 116.03-56 (d) (2), 116.03-58 (b), and 118.01-12 are editorial in nature to clarify requirements of procedures.

A new section designated § 116.01-12 sets forth performance and default instructions for Federal Supply Schedule contracts in accordance with General Services Administration Regulation 1-II-303.03.

The amendment to § 116.01-138 revises delivery terms to be inserted in supply contracts to parallel those prescribed in General Services Administration Regulation 1-II-209.03.

The deletion of § 116.01-143 is incident to the cancellation of National Production Authority Order M-14 on the use of nickel and nickel bearing alloys.

A new section designated § 116.01-165 prescribes procurement instructions for envelopes and articles bearing penalty indicia.

A new section designated § 116.01-166 prescribes instructions for the procurement of advertising for recruiting purposes.

The amendment of § 116.03-56 (c) adds a new subparagraph designated (5) which prescribes procedure for the establishment and use of an "Imprest Fund."

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), the following amendments are prescribed:

1. Section 116.01-8 is amended to read as follows:

§ 116.01-8 *Referral to Headquarters.* All questions relative to contract procedure and requests to depart from standard contract provisions shall be referred to the Commandant (FS-1) via the District Commander (f) or the Commanding Officer of the Headquarters unit concerned.

2. Section 116.01-9 *Commercial procurement by vessels and stations* is hereby revoked.

3. Section 116.01-10 is amended to read as follows:

§ 116.01-10 *Performance and default under Coast Guard contracts.* When a contractor fails, or it becomes apparent that he will fail, to perform the terms and conditions of a contract, a complete report of all circumstances, including the contract number and the recommendations of the contracting officer, shall be forwarded to the Commandant (FS-1) for determination of the action to be taken. If the Commandant determines that the contract should be terminated for default, any supplies or services still required after such termination may be purchased against the contractor's account, in the open market or otherwise.

4. Part 116 is amended by adding a new § 116.01-12 reading as follows:

§ 116.01-12 *Performance and default under Federal Supply Schedule contracts—(a) Responsibilities.* While the General Services Administration (hereinafter referred to in this subchapter as "Administration") awards Federal Supply Schedule contracts and exercises general supervision over such contracts, it is the responsibility of Coast Guard units using such contracts to place orders with the contractors, make payment, and, in the first instance, determine whether performance meets the contract terms. Subject to the provisions of the contracts and the conditions stated in this section, ordering offices should deal directly with contractors concerning their performance of the contract terms, and should accept or reject the supplies or services, make price adjustments for defective supplies or services, or seek replacements, and, in case of default, terminate purchase orders, purchase from other sources, and charge contractors with resulting excess costs.

(b) *Inspection, defective supplies or services.* Arranging for inspection of supplies delivered or services performed by a contractor shall be the responsibility of the ordering office. Adequate inspection of items is necessary to maintain established standards and require compliance with terms and conditions, specifications and samples, and to obviate contractor delinquencies. Should inspection assistance be desired by an ordering office, the nearest Administration regional office should be contacted. The Administration regional office executing the contract shall be notified of all significant instances where defective articles and services are received by an ordering office. Ordering offices may accept defective articles and services, and pay therefor at a proper reduction in price in accordance with paragraph 17 (b) of General Provisions for Federal Supply Schedule Contracts, March 1951, GSA Form 281c, or may terminate the right of the contractor to proceed further under the purchase order, declare the contractor in default, and purchase the supplies elsewhere against the contractor's account.

(c) *Delinquent performance.* Where the contractor fails to perform in ac-

cordance with the provisions of the contract, ordering offices may afford a further opportunity to perform or terminate the right of the contractor to proceed further under the purchase order, declare the contractor in default on the order, and purchase elsewhere against his account. Should the contractor allege that the failure in performance was due to an excusable cause precluding assessment of excess costs under the provisions of the contract, the Deputy Regional Director, Federal Supply Service, at the Administration regional office executing the schedule contract shall be notified promptly. In the absence of a decision by the contracting officer executing the contract, or by the Administrator, or his duly authorized representative, on appeal, pursuant to such notice that the failure is excusable, the ordering office is free to charge against the contractor any excess cost resulting from the default. When the ordering office is aware that the defaulting contractor has alleged the failure to be excusable, it may elect to postpone the assessment of excess costs until a decision is made in order to avoid unnecessary accounting actions. (See paragraph 21 of the General Provisions for Federal Supply Schedule Contracts, March 1951, GSA Form 281c.)

(d) *Disputes.* All disputes concerning questions of fact arising under the contract which cannot be settled satisfactorily between the ordering office and the contractor shall be decided by the Administration contracting officer executing the contract or by the Administrator, or his duly authorized representative, on appeal. (See paragraph 22 of the General Provisions for Federal Supply Schedule Contracts, March 1951, GSA Form 281c.)

(e) *Default; ordering office.* Any ordering office may, in respect to any one or more purchase orders placed by it under a contract, declare the contractor in default in accordance with the provisions of paragraph 21 (g) of the General Provisions for Federal Supply Schedule Contracts, March 1951, GSA Form 281c. However, before declaring a contractor in default, an ordering office should ordinarily notify the contractor in writing that unless satisfactory performance occurs within a specified time, which should allow a reasonable time for performance, the ordering office will terminate his right to proceed further under the purchase order and he will be held liable for any excess costs resulting from purchasing the supplies or services elsewhere. However, such notice shall not be given when the default involves an attempted fraud on the United States, or when it would be obviously futile as, for example, when the contractor has already declined to perform. Where excess costs are anticipated, the ordering office may likewise withhold sufficient funds otherwise due the contractor as offset security. Ordering offices shall endeavor to minimize excess costs to be charged against the contractor and to collect by check or set off any excess costs owed. The funds recovered from the contractor shall be deposited to the credit of "Miscellaneous Receipts"

(203531, Recoveries, excess cost over contract price). The Administration regional office executing the contract shall be notified of all cases where an ordering office has declared a Federal Supply Schedule contractor in default.

(f) *Default; General Services Administration.* The Administration may declare a contractor in default on an overall basis for any or all items covered by the contract, in accordance with the provisions of paragraph 21 of the General Provisions for Federal Supply Schedule Contracts, March 1951, GSA Form 281c, as distinguished from ordering office action on individual orders. When notified of such action by the Administration, ordering offices shall thereafter refuse to accept further performance by the contractor, shall not place further purchase orders with him, and shall purchase against the account of the contractor from replacing contractors designated by the Administration, or in such other manner as directed by the Administration.

(g) *Failure to collect excess costs.* Ordering offices shall report to the Deputy Regional Director, Federal Supply Service, at the Administration regional office executing the Federal Supply Schedule contract involved, those instances where they have been unsuccessful in collecting excess costs which have accrued against a defaulting contractor. Reports shall be made within 60 days from date of final payment to the new contractor from whom the replacement purchase was made and may be in letter form. Such reports shall provide complete information so as to identify properly the transaction and furnish necessary data, such as the name of the defaulting contractor, contract number, item number and description, schedule price, and the amount of excess costs to be collected. In addition, complete information shall be reported concerning the supplier from whom substitute purchase was made, such as the name of the supplier, purchase price, order number or numbers on which payment was made, and contract number, if any. The Administration regional office will consolidate such data as reported and, in the absence of an available offset in the regional office, will submit such data through channels to the General Accounting Office for collection.

5. Section 116.01-45 is amended to read as follows:

§ 116.01-45 *Post Office Department.* Envelopes shall be purchased only under contracts executed by the Post Office Department. Orders will be placed in accordance with § 116.01-165.

6. Section 116.01-138 is amended to read as follows:

§ 116.01-138 *Place of delivery—(a) General.* Delivery terms that are most appropriate and advantageous to the Government shall be incorporated in all supply contracts, taking into account established trade practice and the presence of special circumstances. In addition to the insertion of the term itself, the particular point or points at which delivery is to take place, within the meaning of the delivery term, shall be fully identi-

fied in the contract either (1) by the issuing office in its invitation for bids (or request for quotations), or (2) by the contractor in his bid (or quotation) in the case of other than destination deliveries. In those cases where the information required for insertion in the contract to identify the point at which delivery is to be made can be furnished only by the contractor, appropriate instructions to bidders shall be inserted in the invitation for bids (or request for quotations) providing for inclusion of such information in the bids (or quotations).

(b) *Determination of delivery terms—*

(1) *Domestic shipments.* Unless there are valid reasons to the contrary (such as, but not restricted to, industry practice or applicability of state taxes), all invitations for bids (or requests for quotations) for supplies from sources and for delivery within the continental United States shall provide for method of delivery as follows:

(i) *Less than minimum carload or truckload lot.* When it is estimated that any shipment to a single destination will not equal a minimum carload or truckload lot (a minimum lot shall be deemed to weigh approximately 20,000 pounds), delivery will be made on the basis of all transportation charges paid to destination.

(ii) *Minimum carload or truckload lot.* When it is estimated that any single contract will require a shipment of a minimum carload or truckload lot, delivery may be either on the basis of (a) f. o. b. carrier's equipment, wharf, or freight station (at the Government's option), at a specified city or shipping point, or (b) all transportation charges paid to destination, whichever is the most advantageous to the Government. The invitation for bids (or request for quotations) shall provide that bidders may bid (or quote) on either or both bases set forth in this paragraph. Bids (or quotations) shall be evaluated on the basis of overall cost to the Government.

(2) *Shipments outside the continental U. S.* In the case of supplies purchased within the continental United States for ultimate delivery to destinations outside the continental United States, wherever possible, regardless of the quantity of the shipment, delivery will be made on the basis of f. o. b. carrier's equipment, wharf, or freight station (at the Government's option), at or near contractor's plant, at a specified city or shipping point. Shipments included in this policy are those in which supplies are shipped directly to a port area for export or to storage areas for subsequent re-shipment to a port area for export.

(c) *Standard contract delivery terms—*

(1) The standard delivery terms normally used in Coast Guard supply contracts are:

- (i) F. o. b. point of origin;
- (ii) F. o. b. destination;
- (iii) F. o. b. destination, within consignee's premises.

(2) Definitions of the standard delivery terms are contained in Coast Guard Form CG-2557A-1 (Additional General Provisions—Supply Contract), which is incorporated into supply contracts.

7. Section 116.01-140 is amended by changing the headnote for the section and by revising paragraph (b) and paragraph (c) (3) to read as follows:

§ 116.01-140 *Liquidated damages.*

(b) *Supply contracts.* (1) Where time of delivery or performance is to be made a controlling element in the acceptance or rejection of proposals, the fact shall be stated in the invitation in order that all bidders may have an equal opportunity to offer the items or services within the time so specified. Where it is not so stated, this element cannot be considered in the making of awards. The following clause may be used: "Time required for delivery (completion) is important and will be considered when making award. Delivery (completion) is required not later than (insert required date). A liquidated damage clause assessing (insert rate per day and unit of assessment) for each calendar day of delay in delivery (completion) will be included in the contract."

(2) The scale in paragraph (c) (2) of this section is used in determining the daily rate of liquidated damages for supply contracts.

(c) *Construction contracts (SF-23)*

(3) *Extension of time.* Clause 5 (c) of Standard Form 23a, General Provisions (Construction Contracts), applicable to both construction and repair contracts, prescribes the acceptable causes for delay in contract completion. Any such delay beyond the contractor's performance time must be incorporated in a Change Order (Form CG-3473) immediately after the incident occurs in accordance with the provisions of Clause 5 (c), Standard Form 23a. Change orders granting an extension of time must be fully justified and the extenuating circumstances described in detail. In interpreting the word "unforeseeable" as used in the above clause, the Comptroller General of the United States, in his decision (B-73902), 27 Comp. Gen. 621 ruled:

It is to be understood at the outset that the application of excusable causes enumerated in the contract provision in question is dependent upon the factual situation present in a given case. That is to say, it is well established that the mere happening of an event or cause enumerated in the contract may not be regarded, *ipso facto*, as excusing the contractor, but there is first for consideration whether such event or cause was so abnormal, extraordinary or unusual, as to render it unforeseeable.

8. Section 116.01-143, *Use of nickel and nickel bearing alloys* is hereby revoked.

9. Part 116 is amended by adding a new § 116.01-165 reading as follows:

§ 116.01-165 *Procurement of envelopes and articles bearing penalty indicia—*(a) *Envelopes.* Envelopes will be procured only under contracts made by the Post Office Department. The publication "Award of Contracts for Envelopes" lists all available types of envelopes and contains the necessary information required for placement of orders. Orders placed for envelopes will

be forwarded directly to the contractor. Copies of those orders covering envelopes with penalty indicia will be forwarded to the Commandant (FS).

(b) *Other articles bearing penalty indicia.* Articles (other than envelopes) bearing penalty indicia such as labels, cards and tags will be procured exclusively by the Commandant (CHS). The Commandant (CHS) will procure such articles directly from contracts made by the Post Office Department or from or through the Government Printing Office.

10. Part 116 is amended by adding a new § 116.01-166 reading as follows:

§ 116.01-166 *Procurement of advertising for recruiting purposes—*(a) *General.* It shall be the policy of the Coast Guard to refrain from the use of paid advertising for recruiting purposes unless approved in advance by the Commandant (PTP) in the case of recruits for the regular Coast Guard, or the Commandant (PR) in the case of recruits for the Coast Guard Reserve. However, advertising space donated to public service announcements by newspapers and/or radio or television stations may be utilized if made available to the Coast Guard without cost.

(b) *Authority for paid advertising.* Supplement No. 3, dated June 10, 1949, to Treasury Department Order No. 77 of December 17, 1946, and its supplements of June 30, 1947, and November 13, 1947, provides that the Commandant may continue until further notice to authorize the publication of advertisements for the recruitment of enlisted personnel in newspapers, periodicals, through radio stations, and other media of commercial publicity.

(c) *Procurement of paid advertising—*(1) *General.* Each publisher or broadcaster with whom an agreement to advertise has been negotiated shall furnish current copies of his advertising rates in sufficient number to provide a copy for the Commandant (FP) and for each field office concerned.

(2) *Newspaper and periodical advertising.* The publisher's authority to print the advertisement shall be prepared on Standard Form No. 1143 (Advertising Order), and Standard Form No. 1143a (memorandum copy), which will be numbered serially on a fiscal year basis by each ordering unit.

(3) *Radio and television advertising.* The radio or television station's authority to broadcast spot announcements shall be prepared on Form CG-2557 (Purchase Order).

(d) *Payment—*(1) *Newspaper and periodical advertising.* After the advertisement has been printed, the publisher shall submit request for payment on Standard Form No. 1144 (Public Voucher for Advertising), and Standard Form No. 1144a (memorandum copy), to the ordering office in quintuplicate. The original and three copies of the advertising voucher shall be supported by (i) one copy of the printed page ("tear sheet") containing the advertisement for each date of publication, or in lieu thereof the payee's affidavit of publication showing placement of advertisement on the dates ordered, and (ii) the publisher's adver-

tising rate card, unless previously obtained and filed with the Commandant (FP) and each field office concerned.

(2) *Radio and television advertising.* After the announcement series have been completed, the radio or television station shall submit request for payment in the form of a certified invoice in quintuplicate, detailing the time occupied, dates, etc., and supported by a copy of the spot announcement rate schedule, unless previously obtained and filed with the Commandant (FP) and each field office concerned.

(3) *Claims to be forwarded to Commandant (FP) for settlement.* Advertising vouchers (Standard Form No. 1144 and 1144a), certified invoices for radio-television advertising, and pertinent supporting papers shall be forwarded to the Commandant (FP) for settlement.

11. Section 116.03-56 is amended by adding a new paragraph (c) (5) and by revising paragraph (d) (2) to read as follows:

§ 116.03-56 *Small purchases by district offices.* * * *

(c) *Use of cash purchase.* * * *

(5) When considered desirable and more efficient to advance funds for cash purchases to a designated member of the supply organization at a Coast Guard unit, an Imprest Fund may be established. Such a fund is defined as one established, without appropriation charge, by the advance of cash from an assistant disbursing officer or agent cashier to a designated Imprest Fund cashier for the purpose of making cash payments for small purchases, to be replenished on a revolving basis. The Imprest Fund cashier must be bonded. Establishment and use of Imprest Funds will be accomplished in the following manner:

(i) *Authority.* District Commanders and Commanding Officers of those Headquarters units covered by § 116.03-57 may request the Commandant (F) to establish an Imprest Fund at any unit with an assistant disbursing officer attached. Authority for establishment remains with the Secretary of the Treasury. Only one Imprest Fund will be authorized at any unit.

(ii) *Limitation and usage of funds.* The amount of each Imprest Fund will be kept at a minimum consistent with the volume of purchases under this procedure, but in no case will exceed \$500.00. Cash payment to a vendor is limited to one purchase at one time not to exceed \$50.00 each. Cash payments under this procedure may be used for the procurement, payment, or reimbursement of: Bus and street car tokens and passes, postage stamps (including postage due), rubber stamps, books, hardware, minor technical and special supplies, general stores, taxicab fares, parcel post, drayage, repairs to equipment, fees, refunds, utility bills, etc. Imprest Funds may not be used for payment of salaries or wages, transportation charges on bills of commercial carriers, or for cashing of checks or other negotiable instruments.

(iii) *Imprest fund cashiers.* Approval by the Secretary will include designation of one commissioned or warrant officer

or civilian employee as Imprest Fund Cashier. The Imprest Fund Cashier may, at his own risk, delegate the handling of funds and vouchers to a subordinate and may advance funds on a receipt to personnel designated to pick up or pay for material or services purchased or delivered c. o. d. Such personnel must be designated by the Comptroller for Headquarters or by the District Commander (f) or the Commanding Officer of a Headquarters unit. Funds will not be deposited in a bank or intermingled with other funds, but will be kept in secure storage provided by the Coast Guard and accessible only to the cashier.

(iv) *Action.* Purchases will be accomplished under this procedure in the same manner as those covered by instructions in subparagraphs (1) to (4) of this paragraph, except that advances will be obtained from and accounted for to the Imprest Fund Cashier in lieu of the assistant disbursing officer or agent cashier.

(d) *Use of charge account.* * * *

(2) At time of pick-up or delivery, or performance of service, one copy of supplier's sales slip, priced delivery ticket, or invoice, is receipted by Coast Guard and retained by supplier. A second copy, receipted by Coast Guard representative, is retained by the supply office. A third receipted copy is transmitted to the Pay and Voucher Section.

12. Section 116.03-58 *Purchases by units without ADO's or agent cashiers* attached is amended by revoking paragraph (b).

13. Section 118.01-12 is amended to read as follows:

§ 118.01-12 *Contract bulletins—(a) General.* Information bulletins covering term contracts executed by Coast Guard contracting officers shall be promptly furnished to all units which may make use of such contracts. The bulletins shall be in sufficient detail to permit settlement of contractors' invoices and shall cite contract numbers, date of the contract, name and address of the contractor, delivery points and delivery conditions, items and prices, applicable discounts, and code symbols relating to sources of procurement and circumstances governing procurement. District commanders shall also furnish information covering contracts executed by other Government agencies which are available for Coast Guard use to all district units and transient vessels which may utilize such contracts.

(b) *Copies to be furnished Commandant (FS-1).* One copy of each term contract bulletin prepared by units with contracting officers shall be forwarded to the Commandant (FS-1).

(62 Stat. 21; 41 U. S. C. 151-161)

Dated: February 16, 1954.

[SEAL] A. C. RICHMOND,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 54-1222; Filed, Feb. 19, 1954;
8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 942]

ARKANSAS

PARTIALLY REVOKING PUBLIC LAND ORDER NO. 834 OF MAY 23, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 834 of May 23, 1952, reserving public lands for forest management purposes, is hereby revoked so far as it affects the public lands in the following-described townships:

FIFTH PRINCIPAL MERIDIAN

Tps. 19 and 21 N., R. 1 W.
Tps. 19, 20 and 21 N., R. 2 W.
Tps. 17 to 21 N., R. 3 W.
Tps. 16 to 21 N., R. 4 W.
Tps. 11, 12 and 14 to 21 N., R. 5 W.
Tps. 11 to 21 N., R. 6 W. and 7 W.
T. 11 N., R. 8 W.
Tps. 13 and 14 N., R. 8 W., North & East of
White River.
Tps. 15 to 21 N., R. 8 W.
Tps. 10 and 11 N., R. 9 W.
T. 15 N., R. 9 W., North of White River.
Tps. 16 to 21 N., R. 9 W.
T. 11 N., R. 10 W.
T. 15 N., R. 10 W., North of White River.
Tps. 16 to 21 N., R. 10 W.
Tps. 11 and 18 to 21 N., R. 11 W.
Tps. 11 and 19 to 21 N., R. 12 W.
Tps. 9, 10, 16, 20 and 21 N., R. 13 W.
Tps. 10, 11, 14 to 18, 20 and 21 N., R. 14 W.
Tps. 9, 14, 17, 18, 20 and 21 N., R. 15 W.
Tps. 14, 17, 20 and 21 N., R. 16 W.
Tps. 16, 20 and 21 N., R. 17 W.
T. 16 N., Rgs. 18 and 19 W.
Tps. 15 and 16 N., Rgs. 20 to 23 W.
T. 16 N., R. 24 W.
Tps. 15 and 16 N., R. 26 W.
Tps. 14 and 15 N., Rgs. 27, 28 and 29 W.
Tps. 14 and 15 N., R. 30 W.
T. 14 N., Rgs. 31 and 32 W.
Tps. 13 and 14 N., R. 33 W.

The public lands in the areas described aggregate approximately 68,000 acres.

The lands released from withdrawal by this order vary from rough to rolling and are broken in places by escarpments. The soils are sedimentary in origin and consist of consolidated and unconsolidated sand, clay and limestone combinations, predominantly limestone. They have no value for agricultural use other than low value woodland grazing.

No application for the lands released from withdrawal by this order may be allowed under the homestead, small tract, or any other non-mineral public land law unless the lands have been classified as valuable or suitable for the type of use contemplated by such application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject

to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed with the Director, Bureau of Land Management, Washington 25, D. C., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are appli-

cable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

ORME LEWIS,

Assistant Secretary of the Interior.

FEBRUARY 17, 1954.

[F. R. Doc. 54-1219; Filed, Feb. 19, 1954; 8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 1—GENERAL RULES OF PRACTICE

NOTICE OF FILING OF APPLICATIONS BY MOTOR CARRIERS OF PROPERTY

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 1st day of February A. D. 1954.

The matter of special rules governing notice of filing of applications by motor carriers of property and certain other procedural matters with respect thereto being under consideration:

It is ordered, That the following special rules be, and they are hereby, prescribed:

§ 1.240 *Special rules governing notice of filing of applications by motor carriers of property, under sections 5 (2), 206, 209, 210a (b), and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto—(a) Scope of special rules.* These special rules govern the filing and handling of (1) applications under section 5 (2) of the Interstate Commerce Act respecting control, lease, and unification of operating rights and properties of motor carriers of property, (2) applications for certificates, permits, and licenses respecting the transportation of property under sections 206, 209, and 211 of the act, and (3) applications for temporary authority respecting the transportation of property under section 210a (b) of the act. Amendments to applications which broaden the scope of proposed operations are deemed to be "applications" for the purpose of these rules. Such amendments will not be allowed if tendered after an application has been assigned for oral hearing.

(b) *Notice to interested persons.* Notice of the filing of such applications to interested persons shall be given by the publication of a summary of the authority sought in the FEDERAL REGISTER. Such summaries will be prepared by the Commission. No other notice by applicants to interested persons is required, except that applicants are not relieved from the obligations to file copies of applications with Governors, State Boards, and District Directors of the

Commission's Bureau of Motor Carriers as required by the instructions which are a part of the prescribed form of application.

(c) *Protests and requests for hearing.* (1) Protests to the granting of an application shall be filed with the Commission within 30 days after the date notice of the filing of the application is published in the FEDERAL REGISTER.

(2) Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held.

(3) In addition to other requirements of § 1.40 of the general rules of practice, protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected.

(4) Any request for an oral hearing shall be supported by an explanation as to why the evidence to be presented cannot reasonably be submitted in the form of affidavits. The Commission will determine whether or not assignment of the application for hearing is necessary or desirable.

(5) Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, prehearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of the notice of the filing of the application.

(6) Except when circumstances require immediate action, an application for approval under section 210a (b) of the act of the temporary operation of motor carrier properties sought to be acquired in an application under section 5 (2) will not be disposed of sooner than 10 days from the date of publication of the notice of the filing of the application. If a protest is received prior to action being taken, it will be considered.

It is further ordered, That a copy of this order shall be served upon each motor common and contract carrier of property and each broker of property transportation subject to the jurisdiction of this Commission, and that notice to the general public shall be given by depositing a copy in the Office of the Secretary of the Commission and by filing a copy with the Director, Division of the Federal Register.

And it is further ordered, That this order shall become effective March 22, 1954.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended, 49 Stat. 546, as amended, 548, as amended, sec. 201, 54 Stat. 933, sec. 1, 56 Stat. 285; 49 U. S. C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL]

GEORGE W. LAIRD
Secretary.

[F. R. Doc. 54-1216; Filed, Feb. 19, 1954; 8:49 a. m.]

TITLE 14—CIVIL AVIATION **Chapter II—Civil Aeronautics Administration, Department of Commerce**

[Amdt. 68]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.5 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURES

Readings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound; altitudes; limiting distances)	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distances specified, or if landing not accomplished
							Condition	Type aircraft	More than 75 m. p. h. or less	
1	3	8	4	5	6	7	8	9	10	11
ALBANY, GA. Municipal, 100' SEBRAZ-DTV ABY Procedure No. 1 February 2, 1954	Albany BVOR.....	125-9.0	1,300	N side E course; 080° outbound, 270° inbound, 1,400' within 25 miles.	1,200	270-4.2	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 4.2 miles, climb to 1,300' on W course within 25 miles.
FORT WORTH, TEX. Meacham, 692' SEBRAZ-VDTX FTW Procedure No. 1 February 6, 1954	Hackel FM (final).....	165-8	1,400	W side N course; 345° outbound, 185° inbound, 2,000' within 25 miles.	1,400	175-2.4	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 2.4 miles climb to 2,000' on S course within 25 miles. *CAUTION: Deviation authorized in obstruction clearance over building 600' MSL located 0.6 mile S of LFR on final approach track. 300 FPM descent required at 120 MPH.
FORT WORTH, TEX. Meacham, 692' SEBRAZ-VDTX FTW Procedure No. 2 February 6, 1954	Int. W course Dallas LFR (final), VOR.....	255-5	1,400	W side S course; 175° outbound, 355° inbound, 2,000' within 25 miles.*	1,400 (Over Rock-wood FM)	335-2.6 (From Rock-wood FM)	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Climb to 2,000' on N course within 25 miles. Procedure turn nonstandard due to obstructions. 300 FPM descent required at 120 MPH.
GREENSBORO, N. C. Greensboro-High Point Municipal, 913' SEBRAZ-VDTX GSO Procedure No. 1 February 2, 1954	Summit HIR FM (final)..... Greensboro VOR.....	237-9 032-6	1,800 2,300	N side of NE course; 037° outbound, 297° inbound, 2,000' within 25 miles.	1,700	235-1.4	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 1.4 miles make left turn, climb to 2,300' on SE course within 25 miles or when directed by ATC, make left climbing turn, climb to 4,000' on NW course of Greensboro LFR within 25 miles.
JACKSONVILLE, FLA. Jackson Airport, 27' SEBRAZ-DTV JAX Procedure No. 1 January 26, 1954	Fort George FM (final).....	205-10	640	N side E course; 080° outbound, 290° inbound, 1,100' within 25 miles.	640	202-1.7	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 1.7 miles, climb to 1,300' on W course within 25 miles.
MINNEAPOLIS, MINN. Minneapolis-St. Paul International (Wold Chamberlain Field), 849' SEBRAZ-DTV-MSP Procedure No. 1 February 10, 1954	Hastings FM (final)..... Hamed FM..... Minneapolis VOR.....	295-2.0 115-24.0 144-22.0	1,300 2,000 2,300	N side SE course; 115° outbound, 285° inbound, 2,100' within 15 miles, 2,400' within 25 miles.	1,300	290-3.4	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 2.5 miles, climb to 2,400' on NW course MSP-LFR to Hamed FM or when directed by ATC, make left climbing turn to 2,300' proceeding out SW course MSP-LFR to Jordan FM or make left climbing turn to 2,300' and return to MSP-LFR.

3. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name; elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
BRUNSWICK, GA. Mackin-McKinnon, 20' RHH-SSR Procedure No. 1 February 1, 1954	Brunswick VOR.....	108-3.5	1,200	W side course: 012° outbound, 192° inbound, 1,200' within 35 miles.	600	On airport.	T-dn C-dn A-dn	300-1 600-1 800-2	300-1 600-1 800-2	Within 0.0 mile, climb to 1,200' on course of 192° within 25 miles.

SUPERSEDED BY COMBINATION ADF-ILS PROCEDURE, DATED FEBRUARY 20, 1954.

MINNEAPOLIS, MINN.
Ninnesbop, 20' and Inter-
national (Wold-Chamber-
lain Field), 840'
LOM-MIS No. 1
Procedure No. 1
August 25, 1951

PANAMA CITY, FLA.
Panama (Municipal), 14'
RHH-PPN No. 1
Procedure No. 1
December 28, 1953

PROCEDURE CANCELED FEBRUARY 1, 1954.

4. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name; elevation; facility; class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums		If visual contact not established upon descent to authorized landing minimums or if landing not accomplished	
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft		
										75 m.p.h. or less		More than 75 m. p. h.
1	2	3	4	5	6	7	8	9	10	11	12	13
COLUMBIA, S. C. Columbia Airport, 244' ILS-ICAE LOM-CA Procedure No. 1 Combination ILS-ADF February 3, 1954	Columbia LFR.....	LOM.....	251-12.0	1,600	Southside SW course: 228° outbound, 048° inbound, 1,500' within 10 miles, 1,900' within 25 miles.	ILS 1,500' ADF 1,600' over LOM.	1,470-4.5	400-0.6	T-dn	300-1	300-1	Climb to 2,000' on the W then E course of CAE LFR or 051° radial CAE VOR within 25 miles. No approach lights.
	Columbia VOR.....	OM.....	149-6.0	1,600					C-dn	300-1	500-1½	
										S-dn ILS ADF	400-¾ 500-1	400-¾ 500-1
									A-dn	800-2	800-	

5. The very high frequency omnirange procedures prescribed in § 609.15 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceiling are in feet above airport elevation. If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility, class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums		If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished	
							Condition	Type aircraft		
1	2	3	4	5	6	7	8	9	10	11
ALBANY, GA. Municipal, 190' BVOE-ABV Procedure No. 1 February 2, 1954	Albany LFR.....	305-2.0	1,300	W side course: 335° outbound, 135° inbound, 1,300' within 15 miles, 1,600' within 20 and 25 miles.	1,100	153-5.9	T-dn C-dn S-dn 16 A-dn	300-1 300-1 300-1 300-2	300-1 300-1 300-1 300-2	Within 3.9 miles, climb to 1,300' on course of 153° within 25 miles of ABV-VOR.
ATLANTA, GA. Municipal, 1,054' BVOE Procedure No. 1 February 2, 1954	*Campbellton LFR.....	132-15.3	2,300	E side of course: 195° outbound, 615° inbound, Within 25 miles.	1,800	615-2.3	T-dn C-dn 3 S-dn A-dn	300-1 300-2 300-2 300-2 300-3	300-1 300-2 300-2 300-2 300-3	Within 9.3 miles, immediately turn right climb to 2,000' on outbound course of 80° CATCONS: 2,000' (MSL) TV tower located 9.5 miles NNE of airport. *Initial approach to BVOE from CPN LFR authorized utilizing ADF on track of 132°.
BEAUMONT, TEX. Jefferson County, 19' BVOE-BUJ Procedure No. 1 January 15, 1954	Beaumont LFR.....	204-7.5	1,200	S side of course: 295° outbound, 695° inbound, 1,200' within 25 miles.	700	665-5.3	T-dn C-dn A-dn	300-1 300-1 300-2	300-1 300-1 300-2	Within 5.3 miles climb to 1,400' on course of 665° within 25 miles.
BRUNSWICK, GA. Malcolm McKinnon, 20' BVOE-SSI Procedure No. 1 February 2, 1954	Brunswick MH.....	288-3.5	1,200	S side course: 295° outbound, 115° inbound, 1,200' within 25 miles.	700	112-3.0	T-dn C-dn S-dn 11 A-dn	300-1 300-1 300-1 300-1 300-2	300-1 300-1 300-1 300-1 300-2	Within 3.0 miles, climb to 1,200' on course of 112° outbound from VOR within 15 miles. *Warning area beyond 15 miles.
COLLEGE STATION, TEX. Eastwood, 300' BVOE-DTV-CLL Procedure No. 1 January 15, 1954	BYT LFR.....	119-9.0	1,400	Southside of course: 275° outbound, 695° inbound, 1,300' within 20 miles, Beyond 20 miles N.A.	900	98-2.9	T-dn C-dn S-dn 10 A-dn	300-1 300-1 300-1 300-1 300-2	300-1 300-1 300-1 300-1 300-2	Within 2.9 miles, climb to 1,500' on course of 125° within 25 miles of VOR.
JACKSONVILLE, FLA. Imeson, 52' BVOE-JAX Procedure No. 1 February 2, 1954	Jacksonville LFR.....	045-2.5	1,200	N side course: 695° outbound, 245° inbound, 1,300' within 25 miles.	600	245-4.1	T-dn C-dn S-dn 23 A-dn	300-1 300-1 300-1 300-1 300-2	300-1 300-1 300-1 300-1 300-2	Climb to 1,600' on course 245° outbound within 15 miles of JAX VOR. #Danger area D-161 located 15 miles SW of VOR facility.
MYRTLE BEACH, S. C. Municipal, 24' BVOE-MYR Procedure No. 1 February 2, 1954	Myrtle Beach Ebo.....	225-3.5	1,200	N side: 64° outbound, 27° inbound, 1,200' within 25 miles.	700	227-3.5	T-dn C-dn A-dn	300-1 300-1 300-2	300-1 300-1 300-2	Within 3.5 miles, climb to 1,200' on course of 227° within 25 miles.
PALACIOS, TEX. Municipal, 13' BVOE-FSX Procedure No. 1 January 15, 1954	Palacios LFR.....	307-2.0	1,300	W side course: 295° outbound, 115° inbound, 1,200' within 10 miles, Beyond 10 miles not authorized.	800	117-3.9	T-dn T-dn C-dn C-dn S-dn R-13 S-dn A-dn A-dn	300-1 NA 300-1 300-1 300-1 NA 300-2 NA NA	300-1 NA 300-1 300-1 300-1 NA 300-2 NA NA	Within 3.9 miles climb to 1,300' on course of 115° within 15 miles.

6. The very high frequency omnirange procedures prescribed in § 609.15 (b) are amended to read in part:

TVOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Callings are in feet above airport elevation. If a TVOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; Procedure No. (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance from last runway center line extended and final approach course to approach end of runway	Ceiling and visibility minimums		If visual contact not established at TVOR, or if landing not accomplished
							Condition	Type aircraft	
							75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10
OKLAHOMA CITY, OKLA. WHL Rgn. 1, 1854 VORW-DME OKC. Procedure No. 1, February 4, 1954.	OKC LFB.....	285-7.5	2,500	S side of course: 270° inbound, 290° outbound, 2,500' within 10 miles, 2,500' within 25 miles.	1,900	004-8.0	T-4n C-4n S-4n A-4n	300-1 300-1 300-1 300-2	Within 8.0 miles climb to 2,700' on radial of 094° within 25 miles. When cleared by ATC, turn left, climb to 2,500' on N course of OKC localizer within 25 miles.

These procedures shall become effective on the dates indicated in Column 1 of the procedures.

(Sec. 205, 52 Stat. 964, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 53 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[P. R. Doc. 54-1183; Filed, Feb. 19, 1954; 8:46 a. m.]

TITLE 50—WILDLIFE

Chapter 1—Fish and Wildlife Service,

Department of the Interior

Subchapter F—Alaska Commercial Fisheries

MISCELLANEOUS AMENDMENTS

Basis and purposes. On the basis of information developed at a series of public hearings, written briefs submitted by the public concerned, and scientific data secured by Fish and Wildlife Service personnel amendments to the Alaska Commercial Fisheries regulations are adopted to permit maximum utilization of the resources consistent with sound conservation, and in compliance with the notice of intention to adopt amendments, issued by the Secretary of the Interior on June 12, 1953 (18 P. R. 3485, June 18, 1953). These provisions shall become effective 30 days after their publication in the FEDERAL REGISTER.

PART 102—GENERAL PROVISIONS

1. Section 102.30 is amended to read as follows:

§ 102.30 Gear restrictions: bottom fish. The size, character and operation at the end of each trip.

(e) The use of any trawl in fishing for, or taking, salmon or herring is prohibited.

2. A new section designated § 102.36a is added to read as follows:

§ 102.36a Crab fishing gear. (a) Dungeness crabs shall be taken only with pots or rings.

(b) King crabs shall be taken only with pots or with trawls having a mesh size of not less than 12 inches stretched measure between knots in the bag and 6 inches stretched measure between knots in the wings, except that this requirement shall not apply to tangle nets prior to January 1, 1955.

(c) Tanner crabs shall be taken with pots or king crab trawls only.

3. Sections 102.37 and 102.38 are deleted.

4. A new section designated § 102.38a is added to read as follows:

§ 102.38a Protection of female and small male crabs. (a) No female crab of any species shall be taken at any time. (b) No male king crab shall be taken measuring less than 6½ inches in greatest width of shell.

(c) No male Dungeness crab shall be taken measuring less than 7 inches in greatest width of shell.

(d) All female and undersized male crabs inadvertently taken shall be returned to the water immediately with a minimum of injury.

5. Section 102.51 is amended to read as follows:

§ 102.51 Prohibited with commercial gear; exception. Within any regulatory area, district, or section, the use of any salmon fishing gear which is permitted in commercial fishing is prohibited in fishing for personal use during any statutory weekly closed period, or any extensions thereof, and the period beginning 48 hours before the opening of any commercial fishing season and continuing for 48 hours after the close of such season except as follows:

(a) The use in fishing for personal use of hand rod, spear, gaff, and trolling gear is permitted at all times except in areas specifically closed to all fishing. (b) Any type of gear may be used in fishing for personal use at any place which is at a distance greater than 25

miles by most direct measurement from waters open to commercial fishing.

(c) Where the regulations with respect to a regulatory area specifically provide, gear other than hand rod, spear, gaff, and troll may be used.

PART 103—KOTZEBUE-YUKON-KUSKOKWIM AREA

1. Section 103.2 is amended by adding paragraph (e) to read as follows:

(e) Kuskokwim district: All waters of the Kuskokwim River and its tributaries above a line from Beacon Point to Popkokamute.

2. Section 103.3 is amended to read as follows:

§ 103.3 *Open seasons.* Fishing is prohibited except from 6 o'clock antemeridian June 1 to 6 o'clock postmeridian July 31.

3. Section 103.4 is amended to read as follows:

§ 103.4 *King salmon quotas.* In any calendar year the take of king salmon shall not exceed the following:

(a) Yukon district: 50,000 fish below the mouth of the Anuk River; 10,000 fish between the mouths of the Anuk and Anvik Rivers; and 5,000 fish above the mouth of the Anvik River.

(b) Kuskokwim district: 3,000 fish below the mouth of the Aniak River, and 3,000 fish above the mouth of that river.

4. Section 103.5 is amended to read as follows:

§ 103.5 *Gear restrictions.* Fishing with any gear except gill nets is prohibited: *Provided*, That fish wheels may be used in the Yukon and Kuskokwim districts.

5. Section 103.6 is amended to read as follows:

§ 103.6 *Marking of gill nets.* Each drift gill net in operation shall have a suitable bright red keg, buoy or cluster of floats at each end which shall be plainly and legibly marked with the initials of the operator, and bright red double floats shall be attached to the cork line at 25-fathom intervals, except that the 25-fathom interval requirement shall not apply in the Kuskokwim district.

6. Section 103.8 is amended to read as follows:

§ 103.8 *Aggregate length of gill nets.* The aggregate length of gill nets on or in use by any salmon fishing boat shall not exceed 150 fathoms, hung measure: *Provided*, That in the Kuskokwim district the aggregate length of drift gill nets on or in use by any salmon fishing boat shall not exceed 45 fathoms, hung measure, and the aggregate length of set nets in use by any individual shall not exceed 25 fathoms, hung measure.

7. A new center heading of, "Personal Use Fishery," is added, under which a new section designated § 103.50 is added to read as follows:

§ 103.50 *Seasonal restrictions.* In the Yukon district, fishing for, taking

or molesting salmon, by any means, or for any purpose, is prohibited between 6 o'clock postmeridian Saturday and 6 o'clock antemeridian Monday of each week, except after 48 hours following the close of commercial fishing in any quota subdistrict.

PART 104—BRISTOL BAY AREA

1. Section 104.2 is amended in text to read as follows:

§ 104.2 *Districts open.* Fishing is prohibited except within the following-described districts:

(a) Nushagak district: Waters of Nushagak Bay within a line from the cabin known locally as "Jap Cabin" at approximately 158 degrees 25 minutes west longitude and the upper end of Nichols Spit.

(b) Kvichak-Naknek district: Waters of Kvichak Bay within a line from the northern end of Johnston Hill to the mouth of the unnamed stream at approximately 58 degrees 45 minutes 50 seconds north latitude, 157 degrees 32 minutes 30 seconds west longitude.

(c) Egegik district: Waters bounded by a line from Middle Bluff light to a point 3 miles due west, thence to a point 2 miles due west of the outer buoy marking the entrance to the Egegik River, thence to a point 3 miles offshore at 58 degrees north latitude, thence due east to the shoreline.

(d) Ugashik district: Waters bounded by a line from 3 miles north of Cape Greig light to a point 3 miles due west, thence to a point 2 miles due west of the outer buoy marking the entrance to the Ugashik River, thence to a point 3 miles due west of Cape Menshikof, thence to the southern terminus of the area at a point 3 miles south of Cape Menshikof.

(e) Togiak district: All waters north of a line from Right Hand Point to Tongue Point.

2. Section 104.3 is amended to read as follows:

§ 104.3 *Open seasons.* (a) Nushagak district: Fishing is prohibited prior to 6 o'clock antemeridian June 1 and after 6 o'clock postmeridian August 31. Prior to June 25 fishing is prohibited with nets having mesh size of less than 8½ inches stretched measure between knots.

(b) Kvichak-Naknek district: Fishing is prohibited prior to 6 o'clock antemeridian June 1 and after 6 o'clock postmeridian August 31. Prior to June 25 fishing is prohibited with nets having mesh size of less than 8½ inches stretched measure between knots.

(c) Egegik district: Fishing is prohibited prior to 6 o'clock antemeridian June 1 and after 6 o'clock postmeridian August 31. Prior to June 25 fishing is prohibited with nets having mesh size of less than 8½ inches stretched measure between knots.

(d) Ugashik district: Fishing is prohibited prior to 6 o'clock antemeridian June 1 and after 6 o'clock postmeridian August 31. Prior to June 25 fishing is prohibited with nets having mesh size of less than 8½ inches stretched measure between knots.

(e) Togiak district: Fishing is prohibited prior to 6 o'clock antemeridian June 1 and after 6 o'clock postmeridian August 31. Prior to June 25 fishing is prohibited with nets having mesh size of less than 8½ inches stretched measure between knots.

3. Section 104.5 is amended to read as follows:

§ 104.5 *Weekly closed periods.* In the period from June 25 to July 26 the statutory weekly closed period in the following districts is extended to include the periods designated:

(a) Nushagak district: From 6 o'clock antemeridian Tuesday to 6 o'clock antemeridian Friday, and from 6 o'clock antemeridian Saturday to 6 o'clock antemeridian Monday.

(b) Kvichak-Naknek district: From 6 o'clock antemeridian Tuesday to 6 o'clock antemeridian Wednesday, and from 6 o'clock antemeridian Thursday to 6 o'clock antemeridian Friday.

(c) Egegik district: From 6 o'clock antemeridian Wednesday to 6 o'clock antemeridian Thursday.

(d) Ugashik district: From 6 o'clock antemeridian Wednesday to 6 o'clock antemeridian Thursday.

(e) Togiak district: From 6 o'clock antemeridian Tuesday to 6 o'clock antemeridian Wednesday, and from 6 o'clock antemeridian Thursday to 6 o'clock antemeridian Friday.

4. Section 104.8 is amended to read as follows:

§ 104.8 *Marking of boats and reporting operations.* Each salmon fishing boat in operation shall bear conspicuous letters and numbers at least 12 inches in height which will permit specific identity of (a) the individual boat and its ownership, and (b) the regulatory district of initial operation. The regulatory district of initial operation shall be indicated by the letter N for Nushagak, K for Kvichak-Naknek, E for Egegik, and U for Ugashik. Prior to each fishing season and at least 48 hours prior to any shifting of a boat from one regulatory district to another, the identifying letters and numbers of each boat shall be reported to the local representative of the Fish and Wildlife Service. Receipt of notice of an intention to shift a boat from one district to another shall cancel immediately the right of such boat to fish in any district for a period of 48 hours beginning with such notice.

5. Section 104.9 is amended to read as follows:

§ 104.9 *Marking of gill nets.* Each drift gill net in operation shall have a suitable bright red keg, buoy, or cluster of floats at each end which shall be plainly and legibly marked with the initials of the operator, and bright red double floats shall be attached to the cork line at 25-fathom intervals.

6. Section 104.18 is amended to read as follows:

§ 104.18 *Minimum distance between units of gear.* The minimum operating distance at any time between any part of one net and any part of another net

shall be not less than 300 feet, except that the operating distance between any part of one set net and any part of another in the Nushagak district shall be not less than 450 feet.

7. Section 104.20 is amended in paragraph (e) by changing the period at the end to a comma and adding the following: "except by set nets in the area extending from a point 200 yards north of the Wingard Packing Company cannery to a point 1,200 yards north of that cannery."

8. Section 104.50 is amended to read as follows:

§ 104.50 *Personal use fishing.* Subject to all other provisions of § 102.51 of this subchapter fishing for personal use will be permitted (a) in the Nushagak district at any place which is at a greater distance than 12 miles by most direct water measurement from waters open to commercial fishing, and between the Pacific-American Fisheries Company dock at Dillingham and Bradford Point with set nets of not to exceed 15 fathoms each if such nets have been duly registered with the local representative of the Fish and Wildlife Service, and (b) in the Togiak district at all times.

PART 105—ALASKA PENINSULA AREA

1. Section 105.2 is amended to read as follows:

§ 105.2 *Definitions, fishing districts.* Fishing districts are as follows:

(a) Northeastern: All waters on the north side of the Alaska Peninsula between a point 3 statute miles south of Cape Mersikof, and Cape Seniavin.

(b) Bear River: All waters on the north side of the Alaska Peninsula between Cape Seniavin and Entrance Point.

(c) Port Moller: All waters on the north side of the Alaska Peninsula between Entrance Point and Lagoon Point.

(d) Northwestern: All waters on the north side of the Alaska Peninsula between Lagoon Point and Unimak Pass, including Bechevin Bay.

(e) Southwestern: All waters on the south side of the Alaska Peninsula between Unimak Pass and Kenmore Head.

(f) South Central: All waters south of the Alaska Peninsula between Kenmore Head and Renshaw Point, including the Sanak and Shumagin Islands.

(g) Southeastern: All waters south of the Alaska Peninsula between Renshaw Point and Castle Cape.

2. Sections 105.3, 105.4 and 105.4a are deleted.

3. A new section designated § 105.3a is added to read as follows:

§ 105.3a *Open seasons.* Fishing is prohibited except:

(a) Northeastern district: In Port Heiden only, with beach seines and gill nets from August 10 to September 30, inclusive.

(b) Bear River district: From 6 o'clock antemeridian July 2 to 6 o'clock postmeridian July 28.

(c) Port Moller district: From 6 o'clock antemeridian June 21 to 6 o'clock postmeridian July 28. The use of gill

nets with mesh of not less than 8½ inches stretched measure between knots is permitted prior to June 21, and the use of beach seines and gill nets is permitted from August 10 to September 30, inclusive.

(d) Northwestern district: From 6 o'clock antemeridian May 27 to 6 o'clock postmeridian July 28.

(e) Southwestern district: From 6 o'clock antemeridian May 27 to 6 o'clock postmeridian July 31; and with set gill nets only from September 1 to September 30.

(f) South Central district: From 6 o'clock antemeridian May 27 to 6 o'clock postmeridian July 31; and with set gill nets only from September 1 to September 30: *Provided*, That fishing is prohibited in Outer Canoe Bay after 6 o'clock postmeridian July 16.

4. Section 105.18 is amended by deleting paragraphs (f), (l), and (n) (2).

PART 107—CHIGNIK AREA

1. Section 107.2 is amended to read as follows:

§ 107.2 *Open seasons.* Fishing is prohibited prior to 6 o'clock antemeridian June 16 and (a) after 6 o'clock postmeridian July 31 east of 158 degrees 10 minutes west longitude, and (b) after 6 o'clock postmeridian September 15 in all other waters.

PART 108—KODIAK AREA

1. Section 108.2 is amended by deleting paragraph (f) and creating two new paragraphs designated (g) and (h) to read as follows:

(g) Uganik district: All waters of Uganik and Viekoda Bays between Broken Point and Outlet Cape, including all waters surrounding Uganik Island.

(h) General district: All waters not defined above.

2. Section 108.3a is amended to read as follows:

§ 108.3a *Open seasons, Mainland district.* Fishing is prohibited except from 6 o'clock antemeridian June 16 to 6 o'clock postmeridian July 24; 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13; and from 6 o'clock antemeridian September 10 to 6 o'clock postmeridian September 30.

3. Section 108.3b is amended to read as follows:

§ 108.3b *Open seasons, Afognak district.* Fishing is prohibited except from 6 o'clock antemeridian June 16 to 6 o'clock postmeridian July 24; from 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13; and from 6 o'clock antemeridian September 10 to 6 o'clock postmeridian September 30. During the period from June 16 to July 5 the weekly closed period is extended to include the period from 6 o'clock antemeridian Friday to 6 o'clock antemeridian Monday.

4. Section 108.3c is amended to read as follows:

§ 108.3c *Open seasons, General district.* Fishing is prohibited except from

6 o'clock antemeridian June 16 to 6 o'clock postmeridian July 24; from 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13; and from 6 o'clock antemeridian September 10 to 6 o'clock postmeridian September 30.

5. Section 108.4 is amended to read as follows:

§ 108.4 *Open seasons, Red River district.* Fishing is prohibited except from 6 o'clock antemeridian June 16 to 6 o'clock postmeridian July 24; from 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13; and from 6 o'clock antemeridian September 10 to 6 o'clock postmeridian September 30.

6. Section 108.5 is amended to read as follows:

§ 108.5 *Open seasons, Alitak district.* Fishing is prohibited except from 6 o'clock antemeridian July 5 to 6 o'clock postmeridian July 24, and from 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13.

7. A new section designated § 108.5a is added to read as follows:

§ 108.5a *Open seasons, Uganik district.* Fishing is prohibited except from 6 o'clock antemeridian June 16 to 6 o'clock postmeridian July 24; from 6 o'clock antemeridian August 2 to 6 o'clock postmeridian August 13; and from 6 o'clock antemeridian September 10 to 6 o'clock postmeridian September 30. During the period from June 16 to July 5 the weekly closed period is extended to include the period from 6 o'clock antemeridian Friday to 6 o'clock antemeridian Monday.

8. A new center heading designated, "Personal Use Fishery" is added, under which a new section designated § 108.50 is added to read as follows:

§ 108.50 *Personal use gear and bag limit.* At all times in all streams entering Chiniak, Pasagshak and Anton Larsen Bays the taking of salmon for personal use shall be limited to hand rod, spear, or gaff and shall not exceed two salmon per day per person.

PART 109—COOK INLET AREA

1. Section 109.2 is amended to read as follows:

§ 109.2 *Open seasons.* (a) Northern and North Central districts: (1) From 6 o'clock antemeridian May 25 to 6 o'clock postmeridian June 25 with gill nets only, of which no legal limit shall have more than 35 fathoms of mesh less than 8½ inches stretched measure between knots; (2) from 6 o'clock antemeridian June 25 to 6 o'clock postmeridian August 12; and (3) from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 20 with gill nets only.

(b) South Central district: (1) From 6 o'clock antemeridian May 25 to 6 o'clock postmeridian August 12 and (2) from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 20 with gill nets only.

(c) Southern district: (1) From 6 o'clock antemeridian May 25 to 6 o'clock postmeridian August 8; and (2) from 6 o'clock antemeridian September 1 to 6 o'clock postmeridian September 10.

(d) Outer district: (1) From 6 o'clock antemeridian July 12 to 6 o'clock postmeridian July 17; and (2) from 6 o'clock antemeridian July 25 to 6 o'clock postmeridian August 8.

2. A new section designated § 109.4a is added to read as follows:

§ 109.4a *Beach seines restricted.* The use of beach seines is prohibited north of the latitude of Anchor Point Light.

3. Section 109.5a is amended to read as follows:

§ 109.5a *Gill net boats and gear.* No salmon fishing boat shall operate, assist in operating, or have aboard more than one legal limit of fishing gear.

4. Section 109.7 is amended to read as follows:

§ 109.7 *Size of drift gill nets.* The aggregate size of drift gill nets on, or in use by, any salmon fishing boat, shall not exceed 150 fathoms in length and 45 meshes in depth.

5. Section 109.8 is amended to read as follows:

§ 109.8 *Marking of gill nets.* Each drift gill net in operation shall have a suitable bright red keg, buoy, or cluster of floats at each end which shall be plainly and legibly marked with the initials of the operator, and bright red double floats shall be attached to the cork line at 25-fathom intervals.

6. Section 109.16 is amended in paragraph (a) by changing the period to a comma and adding "Grecian River"; and by amending paragraph (e) to read as follows:

(e) Seldovia Bay: All waters of the bay inside Powder Island.

7. A new section designated § 109.25 is added to read as follows:

§ 109.25 *Gear restrictions, king crab fishery.* King crab shall be fished for, or taken, with pots only in all waters of Kachemak Bay east of the longitude of Anchor Point, and Kamishak Bay west of the longitude of Tignavik Point.

8. Section 109.50a is amended to read as follows:

§ 109.50a *Seasonal restrictions.* The personal use fishery restrictions of § 102.51 of this subchapter shall not apply (a) during any fall season; (b) to the waters of Turnagain Arm east of a line between the townsites of Indian and Hope; (c) to the waters of Knik Arm north of Point Woronzof by means of set gill nets which (1) shall not exceed 15 fathoms per person, (2) shall be at least 100 yards apart, and (3) shall be operated prior to August 6 only during hours open to commercial fishing in the Northern district; and (d) more than 5 miles upstream from tidewater on all streams and lakes of the Cook Inlet drainage lying south and west of the Susitna River or south of the town of Homer.

9. Section 109.51 is amended in paragraph (b) to read as follows:

(b) All other streams and lakes of the Cook Inlet drainage between the mouth of the Susitna River and the town of Homer, except with hand rod, hook and line; bag limit, two salmon per day per person.

PART 111—PRINCE WILLIAM SOUND AREA

1. Section 111.1a is amended in paragraph (a) to read as follows:

(a) Eshamy district: All waters between the northern entrance to Main Bay and Point Nowell.

2. Section 111.2 is amended to read as follows:

§ 111.2 *Open seasons.* Fishing is prohibited, except in the Eshamy district from 6 o'clock antemeridian July 20 to 6 o'clock postmeridian August 22, with set or anchored gill nets only.

3. Sections 111.4, 111.5, 111.5a, 111.10, 111.11, and all of § 111.12 except paragraphs (q) and (r), are suspended through December 31, 1955.

4. Section 111.15 is amended by changing the period at the end to a comma and adding the following: "as such waters were specified in § 111.12 of the regulations effective in 1953."

PART 112—COPPER RIVER AREA

1. Section 112.2 is amended to read as follows:

§ 112.2 *Open seasons.* Fishing is prohibited except from 6 o'clock antemeridian May 1 to 6 o'clock postmeridian September 18.

2. Section 112.7 is amended to read as follows:

§ 112.7 *Marking of gill nets.* Each drift gill net in operation shall have a suitable bright red keg, buoy, or cluster of floats at each end which shall be plainly and legibly marked with the initials of the operator, and bright red double floats shall be attached to the cork line at 25-fathom intervals.

3. Section 112.8 is amended in text by changing the period at the end to a colon and adding the following proviso: "Provided, That from May 1 to May 31, inclusive, an additional 100 fathoms of gear with mesh not less than 8½ inches stretched measure between knots may be operated."

PART 113—BERING RIVER AREA

1. Section 113.3 is amended to read as follows:

§ 113.3 *Open seasons.* Fishing is prohibited except from 6 o'clock antemeridian May 1 to 6 o'clock postmeridian September 18.

2. Section 113.7 is amended to read as follows:

§ 113.7 *Marking of gill nets.* Each drift gill net in operation shall have a suitable bright red keg, buoy, or cluster of floats at each end which shall be plainly and legibly marked with the initials of the operator, and bright red

double floats shall be attached to the cork line at 25-fathom intervals.

3. Section 113.8 is amended in text by changing the period at the end to a colon and adding the following proviso: "Provided, That from May 1 to May 31, inclusive, an additional 100 fathoms of gear with mesh not less than 8½ inches stretched measure between knots may be operated."

PART 114—YAKUTAT AREA

1. Section 114.9 is amended in paragraph (c) to read as follows:

(c) Ahquay Inlet, Dangerous, Alek, Dohn and East Rivers; 25 fathoms each net and 75 fathoms aggregate.

2. Section 114.10 is amended to read as follows:

§ 114.10 *Closed waters.* Fishing is prohibited as follows:

(a) Alek River: Above a point on the Alek River approximately 2½ miles below the "basin".

(b) Situk River: At the markers approximately ½ mile west of Strawberry Point to the cut bank on the eastern side of the terminus of Johnson Slough.

(c) Ankau Inlet.

(d) Italio River: Above the markers at approximately ½ mile upstream.

PART 115—SOUTHEASTERN ALASKA AREA SALMON FISHERIES, GENERAL PROVISIONS

1. A new section designated § 115.2a is added to read as follows:

§ 115.2a *Operation of purse seines.* The use of a drum or other similar mechanical device in operating any purse seine is prohibited.

2. Section 115.4a is amended to read as follows:

§ 115.4a *Gill nets prohibited; exceptions.* The use of gill nets is prohibited except in the northern section of the Western district north of Sullivan Island, Berners Bay, the Taku Inlet-Port Snettisham section of the Eastern district, Stikine district, and Buttroughs Bay.

PART 116—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

1. A new section designated § 116.8b is added to read as follows:

§ 116.8b *Herring quota.* The take of herring, except for bait and except by gill nets, shall not exceed 50,000 barrels, on the basis of 250 pounds per barrel.

PART 117—SOUTHEASTERN ALASKA AREA, ICY STRAIT DISTRICT, SALMON FISHERIES

1. Section 117.3 is amended to read as follows:

§ 117.3 *Open seasons.* Fishing, other than trolling, is prohibited except (a) in the Western section from 6 o'clock antemeridian June 24 to 6 o'clock postmeridian August 3; and (b) in the Eastern section from 6 o'clock antemeridian June 24 to 6 o'clock postmeridian August 7. During these seasons the weekly closed period, except for trolling, is extended to include the period from 6 o'clock post-

meridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply to fishing for chum salmon in Excursion Inlet from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

2. Section 117.8 is amended to read as follows:

§ 117.8 *Closed waters*. Fishing, except trolling, is prohibited as follows:

(a) Dundas Bay: North of 58 degrees 20 minutes north latitude.

(b) Idaho Inlet: South of 58 degrees 8 minutes 20 seconds north latitude.

(d) Glacier Bay: North of 58 degrees 27 minutes 54 seconds north latitude.

(e) Port Althorp: Within 3 nautical miles of the head of the bay.

(f) Mud Bay: South of the latitude of Quartz Point.

(g) Spasski Bay: All waters of the bay.

3. Effective only through December 31, 1955, § 117.11 is amended by deleting paragraphs (a), (b), (c), (g), (i) (1), (j), (l) (1), and (m); and by revising paragraphs (f), (k), and (l) (2) to read as follows:

(f) Chichagof Island: North coast within 2,500 feet of a point at 58 degrees 16 minutes 26 seconds north latitude, 135 degrees 49 minutes 56 seconds west longitude.

(k) Mainland: Along the coast on the east side of Excursion Inlet (1) within 2,500 feet of a point at 58 degrees 15 minutes 24 seconds north latitude, 135 degrees 19 minutes 31 seconds west longitude; (2) within 2,500 feet of a point at 58 degrees 14 minutes 13 seconds north latitude, 135 degrees 17 minutes 34 seconds west longitude; and (3) within 2,500 feet of a point at 58 degrees 12 minutes 59 seconds north latitude, 135 degrees 10 minutes 46 seconds west longitude.

(l) * * * (2) within 2,500 feet of a point at 58 degrees 5 minutes 43 seconds north latitude, 135 degrees 13 minutes 21 seconds west longitude.

PART 118—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

1. Section 118.4 is amended by deleting "June 17," and substituting in lieu thereof, "June 24."

2. Section 118.5 is amended to read as follows:

§ 118.5 *Open seasons, northern section, south of Sullivan Island*. Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian June 24 to 6 o'clock postmeridian August 22. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply to the use of gill nets in Berners Bay from 6 o'clock antemeridian September 1 to 6 o'clock postmeridian September 30.

3. Section 118.6 is amended to read as follows:

§ 118.6 *Open seasons, central, southern, and western sections*. Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian June 24 to 6

o'clock postmeridian August 18. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply in Hood and Chalk Bays to fishing for chum salmon from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

4. Section 118.13 is deleted.

5. Section 118.16 (b) is deleted.

6. Effective only through December 31, 1955, § 118.16 is further amended by deleting paragraphs (a), (c), (d), (1) and (3), (e), (g), (j), (1), (1), and (m), (1); and revising paragraphs (f), (i), (j), (2) and (5), to read as follows:

(f) Baranof Island: East coast within 2,500 feet of a point at 57 degrees 15 minutes 36 seconds north latitude.

(i) Mansfield Peninsula: West coast (1) within 2,500 feet of a point at 58 degrees 11 minutes 32 seconds north latitude, and (2) from 58 degrees 9 minutes 37 seconds north latitude to 58 degrees 7 minutes 5 seconds north latitude.

(j) * * * (2) within 2,500 feet of a point at 57 degrees 43 minutes 23 seconds north latitude, * * * (5) within 2,500 feet of a point at (i) 57 degrees 58 minutes 21 seconds north latitude, and (ii) 58 degrees 0 minutes 51 seconds north latitude.

7. Section 118.17 is amended in paragraphs (h), (i), and (u), and by adding (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), and (ii) to read as follows:

(h) Rodman Bay: All waters within the bay.

(i) Sitkoh Bay: All waters of the northwest arm.

(u) Hood Bay: All waters of the north and south arms: *Provided*, That this shall not apply to fall fishing for chum salmon except within 2,500 yards of the head of the south arm.

(v) Lisianski Inlet: All waters south of Pelican City.

(w) Stag Bay: All waters within the bay.

(x) Goulding Harbor: All waters of the harbor.

(y) Black Bay: All waters within the bay.

(z) Waterfall, north shore of Slocum Arm: All waters within the bay.

(aa) Katlian Bay: All waters within the bay.

(bb) Nakwasina Passage: All waters of the passage from Allan Point to a line 2 miles east of Neva Point.

(cc) Sister Lake: All waters inside a line at the western end of the narrows between Anna and Sister Lakes.

(dd) Freshwater Bay: All waters of the bay inside the innermost island.

(ee) Hoonah Sound: All waters inside White Cliff Point on Moser Island including Pick Cove and Patterson Bay.

(ff) Saook Bay: All waters within the bay.

(gg) Ushk Bay: All waters west of Ushk Point.

(hh) Murder Cove: All waters north of the light.

(ii) Slocum Inlet: All waters of the inlet.

PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

1. Section 119.3 is amended to read as follows:

§ 119.3 *Open seasons; exceptions*. Fishing, other than trolling, is prohibited except:

(a) Taku Inlet-Port Snettisham section: With gill nets from 6 o'clock antemeridian May 3 to 6 o'clock postmeridian September 30. During this season, the weekly closed period, except for trolling, is extended to include the period from 6 o'clock antemeridian Friday to 6 o'clock antemeridian Monday.

(b) General district: From 6 o'clock antemeridian June 24 to 6 o'clock postmeridian August 18. During this season the weekly closed period, except the trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply to fishing for chum salmon in Security Bay and Port Camden from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

2. Effective only through December 31, 1955, § 119.9 is amended by deleting paragraphs (c) (1), (e) (1), (f), (h), (i) (1) and (2), and (k) (1) and (3); and revising paragraphs (a), (d), (e) (2), and (g) to read as follows:

(a) Mainland, east side of Stephens Passage: Within 2,500 feet of a point at 57 degrees 36 minutes 38 seconds north latitude, 133 degrees 39 minutes 18 seconds west longitude.

(d) Mainland, Frederick Sound: (1) Within 2,500 feet of a point northeast of Cape Fanshaw at 57 degrees 11 minutes 32 seconds north latitude, 133 degrees 32 minutes 27 seconds west longitude, and (2) within 2,500 feet of a point southeast of Cape Fanshaw at 57 degrees 10 minutes 52 seconds north latitude, 133 degrees 32 minutes 44 seconds west longitude.

(e) * * * (2) within 2,500 feet of a point at 57 degrees 20 minutes 59 seconds north latitude, 133 degrees 52 minutes 53 seconds west longitude.

(g) Admiralty Island: Southeast coast (1) within 2,500 feet of a point at 57 degrees 5 minutes 18 seconds north latitude, 134 degrees 22 minutes 54 seconds west longitude, and (2) within 2,500 feet of a point at 57 degrees 4 minutes 2 seconds north latitude, 134 degrees 25 minutes 20 seconds west longitude.

3. Section 119.10 is amended in paragraphs (a), (d), (g), (h), and (o), and by adding (q), (r), (s), (t), and (u) to read as follows:

(a) Port Houghton: All waters east of Walter Island.

(d) Gambier Bay: All waters west of 134 degrees west longitude.

(g) Hamilton Bay: All waters inside Point Hamilton.

(h) Keku Strait: All waters between a line from Point Camden to the western point at the entrance to Big John Bay, including the waters of that bay, to the southern boundary of the district at 56 degrees 40 minutes north latitude.

(o) Port Walter: All waters including Little Port Walter.

(q) Seymour Canal: All waters north of the southern point at the entrance to Windfall Harbor, including all waters of Windfall Harbor.

(r) Mole Harbor: All waters inside Beacon Rock.

(s) Pleasant Bay: All waters within the bay.

(t) Pybus Bay: All waters of the west arm, including Cannery Cove.

(u) Hobart Bay: All waters of the bay inside a line at the narrows approximately 1 mile east of Entrance Island.

PART 120—SOUTHEASTERN ALASKA AREA, SITKINE DISTRICT, SALMON FISHERIES

1. Section 120.3a is amended to read as follows:

§ 120.3a *Weekly closed period.* The weekly closed period, except for trolling, is extended to include the period from 6 o'clock antemeridian Friday to 6 o'clock antemeridian Monday.

2. Section 120.4 is amended to read as follows:

§ 120.4 *Closed seasons; exception.* Fishing is prohibited except from 6 o'clock antemeridian May 3 to 6 o'clock postmeridian September 30: *Provided*, That this prohibition shall not apply to trolling west of Craig Point.

PART 121—SOUTHEASTERN ALASKA AREA, SUMMER STRAIT DISTRICT, SALMON FISHERIES

1. Section 121.3 is amended to read as follows:

§ 121.3 *Open season, Ernest Sound and Anan.* Fishing, other than trolling, in Ernest Sound and the open waters in the vicinity of Anan Creek (excluding Zimovia Strait) is prohibited except from 6 o'clock antemeridian July 15 to 6 o'clock postmeridian August 18. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

2. Section 121.4 is amended to read as follows:

§ 121.4 *Open season; exception.* With the exception of Ernest Sound and the vicinity of Anan Creek, fishing, other than trolling, is prohibited, except from 6 o'clock antemeridian July 20 to 6 o'clock postmeridian August 24. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

3. Effective only through December 31, 1955, § 121.10 is amended by deleting

No. 36—4

paragraphs (a), (b), (c), (d), (e) (1), (g), and (j) (1); and by revising paragraph (f) to read as follows:

(f) Prince of Wales Island: North coast within 2,500 feet of a point at 56 degrees 20 minutes 58 seconds north latitude, 133 degrees 32 minutes 41 seconds west longitude.

4. Section 121.11 is amended in paragraphs (g), (h), (j), (k), (m), (n), (s), and by adding paragraphs (u), (v), and (w) to read as follows:

(g) Kah Sheets Bay: All waters within the bay.

(h) Totem Bay: All waters within the bay.

(j) Keku Strait: All waters between a line from the flasher light bearing southeast, and the northern end of the district at 56 degrees 40 minutes north latitude.

(k) Three Mile Arm: All waters west or north of the western point at the entrance to Jackson Hole.

(m) Port Beauclerc: All waters inside the outer point of Edwards Island.

(n) Affleck Canal: All waters of Kell Bay and all waters north of the southern point at the entrance to Bear Harbor.

(s) Bradfield Canal: All waters east of 131 degrees 55 minutes 30 seconds west longitude.

(u) Steamer Bay: All waters within the bay.

(v) Vixen Inlet: All waters inside Sunshine Island.

(w) Santa Anna Inlet: All waters inside Point Santa Anna.

PART 122—SOUTHEASTERN ALASKA AREA, CLARENCE STRAIT DISTRICT, SALMON FISHERIES

1. Section 122.4 is amended to read as follows:

§ 122.4 *Open seasons, northern section.* Fishing, other than trolling, is prohibited in the northern section except from 6 o'clock antemeridian July 25 to 6 o'clock postmeridian August 28. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

2. Section 122.5 is amended to read as follows:

§ 122.5 *Open season, central section.* Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian July 20 to 6 o'clock postmeridian August 24. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

3. A new section designated § 122.5a is added to read as follows:

§ 122.5a *Open seasons, southwest section.* Fishing, other than trolling, is prohibited except from 6 o'clock ante-

meridian July 25 to 6 o'clock postmeridian August 28. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply to fishing for chum salmon in Kasaan Bay, Moira Sound and Cholmondeley Sound from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

4. A new section designated § 122.5b is added to read as follows:

§ 122.5b *Open seasons, southeast and North Behm Canal sections.* Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian July 12 to 6 o'clock postmeridian August 24. During these seasons the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

5. Effective only through December 31, 1955, § 122.8 is amended by deleting paragraphs (a), (c), (d), (g), (h), (i), (j), (m) (3), (n) (1), (o), (r) (3), (t) (2), (u) (1), (w) (1) and (2), (y), (cc), (dd), (ff), (hh), (jj), (kk), (ll), (mm), (nn), (oo), (qq), and (ss); and by revising paragraphs (e), (k) (1), (4), and (5), (m) (2), (p), (r) (2), (x), (z), (bb), and (ee) to read as follows:

(e) Prince of Wales Island: East coast within 2,500 feet of a point at 55 degrees 55 minutes 39 seconds north latitude.

(k) Cleveland Peninsula: West coast (1) within 2,500 feet of a point at 55 degrees 44 minutes 11 seconds north latitude, 132 degrees 15 minutes 45 seconds west longitude; (2) within (i) 2,500 feet of a point at 55 degrees 33 minutes 33 seconds north latitude, and (ii) 2,500 feet of a point at 55 degrees 33 minutes 1 second north latitude; and (5) within 2,500 feet of a point at 55 degrees 30 minutes 45 seconds north latitude, 132 degrees 0 minutes 55 seconds west longitude.

(m) (2) within (i) 2,500 feet of a point at 55 degrees 18 minutes 48 seconds north latitude; (ii) 2,500 feet of a point at 55 degrees 16 minutes 58 seconds north latitude; (iii) 2,500 feet of a point at 55 degrees 15 minutes 11 seconds north latitude; (iv) within 2,500 feet of a point at 55 degrees 10 minutes 48 seconds north latitude; (v) within 2,500 feet of a point at 55 degrees 10 minutes north latitude; and (vi) within 2,500 feet of a point at 55 degrees 9 minutes 10 seconds north latitude.

(p) Annette Island: West coast (1) within 2,500 feet of a point at 55 degrees 12 minutes 52 seconds north latitude, (2) within 2,500 feet of a point at 55 degrees 5 minutes 41 seconds north latitude, (3) within 2,500 feet of a point at 55 degrees 2 minutes 47 seconds north latitude, and (4) within 2,500 feet of a point at 55 degrees 0 minutes 45 seconds north latitude.

(r) * * * (2) within 2,500 feet of a point at 55 degrees 31 minutes 1 second north latitude, 132 degrees 12 minutes 9 seconds west longitude.

(x) Prince of Wales Island: East coast, including adjacent rocks, within 2,500 feet of a point at 54 degrees 57 minutes 19 seconds north latitude.

(z) Prince of Wales Island: East coast within 2,500 feet of a point at 54 degrees 50 minutes 8 seconds north latitude.

(bb) Prince of Wales Island: East coast within 2,500 feet of a point at 54 degrees 42 minutes 57 seconds north latitude.

(ee) Prince of Wales Island: South coast within 2,500 feet of a point at 54 degrees 41 minutes 50 seconds north latitude, 132 degrees 10 minutes west longitude.

6. Section 122.9 is amended in paragraphs (a), (c), (e), (k), and (p), and by adding paragraphs (s), (t), (u), (v), (w), (x), (y), and (z) to read as follows:

(a) Molra Sound: (1) All waters of the North Arm inside a line from Crowell Point to Point Holliday; (2) all waters of Johnson Cove; and (3) all waters of West Arm west of 132 degrees 12 minutes west longitude.

(c) Cholmondeley Sound: All waters west of and including Sunny Cove: *Provided*, That this shall not apply to fishing for chum salmon from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

(e) Twelvemile Arm, Kasaan Bay: All waters south of Loy Island.

(k) Whale Pass: All waters from the north end of Thorne Island southward to the island at the bend where the pass turns eastward.

(p) Traitors Cove: All waters within the cove.

(s) Mossman Inlet: All waters within the inlet.

(t) Karta Bay: All waters inside the outermost buoys.

(u) North Behm Canal: North of the latitude of Snail Point.

(v) Lake Bay: All waters of the passage behind Stevenson Island.

(w) Kitkun Bay: All waters within the bay.

(x) Tamgas Harbor: All waters north of Deer Point.

(y) Neets Bay: All waters east of Clam Island.

(z) Port Stewart: All waters within the bay.

PART 123—SOUTHEASTERN ALASKA AREA, SOUTH PRINCE OF WALES ISLAND DISTRICT, SALMON FISHERIES

1. Section 123.3 is amended to read as follows:

§ 123.3 *Open seasons.* Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian July 25 to 6 o'clock postmeridian August 28. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday: *Provided*, That these prohibitions shall not apply to purse seines from 6 o'clock antemeridian July 5 to 6 o'clock postmeridian August 28 in waters west of a line extending northwesterly from Cape Muzon projected through Cape Ulitka to the northern boundary of the district, nor to fishing for chum salmon in the waters of Klawak Inlet from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1.

2. Section 123.4 is amended by deleting, "July 20 to August 5," and substituting in lieu thereof, "July 5 to July 25."

3. Effective only through December 31, 1955, § 123.6 is amended by deleting paragraphs (a), (g), (i), (k), (p), (u), and (v); and by revising paragraphs (d), (h), (l), (o), (1), (q), and (t) to read as follows:

(d) San Fernando Island: Northern coast within 2,500 feet of Point Santa Rosalia.

(h) Prince of Wales Island: San Christoval Channel within 2,500 feet of a point at 55 degrees 36 minutes 28 seconds north latitude, 133 degrees 21 minutes 30 seconds west longitude.

(l) Prince of Wales Island: Within 2,500 feet of a point at 55 degrees 22 minutes 59 seconds north latitude, 133 degrees 13 minutes 28 seconds west longitude.

(o) * * * (1) within 2,500 feet of a point at 55 degrees 2 minutes 12 seconds north latitude, 132 degrees 53 minutes 28 seconds west longitude.

(q) Prince of Wales Island: South of Point Webster within 2,500 feet of a point at 54 degrees 56 minutes 33 seconds north latitude, 132 degrees 34 minutes 37 seconds west longitude.

(t) Heceta Island: Western and southern coast (1) within 2,500 feet of a point at 55 degrees 42 minutes 32 seconds north latitude, 133 degrees 35 minutes 28 seconds west longitude, and (2) within 2,500 feet of a point at 55 degrees 41 minutes 38 seconds north latitude, 133 degrees 32 minutes 5 seconds west longitude.

4. Section 123.7 is amended in paragraphs (c), (g), (k), and (n) and by adding paragraphs (o), (p), (q), (r), (s), (t), (u), and (v) to read as follows:

(c) Trocadero Bay: All waters east of 133 degrees 1 minute west longitude.

(g) Hetta Inlet: All waters north of Simmons Point.

(k) Hunter Bay: All waters within the bay.

(n) El Capitan and Tuxekan Passages: All waters east of 133 degrees 20 minutes west longitude.

(o) Token Bay: All waters within the bay.

(p) Edna Bay: All waters within the bay.

(q) Keete Inlet: All waters within the inlet.

(r) Klakas Inlet: All waters north of 55 degrees north latitude.

(s) Soda Bay: All waters east of 133 degrees west longitude.

(t) Port Saint Nicholas: All waters east of 133 degrees 4 minutes west longitude.

(u) Warm Chuck Inlet: All waters north of 55 degrees 44 minutes 30 seconds north latitude.

(v) Nutkwa Inlet: All waters north of 55 degrees 6 minutes north latitude.

PART 124—SOUTHEASTERN ALASKA AREA, SOUTHERN DISTRICT, SALMON FISHERIES

1. Section 124.3 is amended to read as follows:

§ 124.3 *Open seasons.* Fishing, other than trolling, is prohibited except from 6 o'clock antemeridian July 12 to 6 o'clock postmeridian August 18. During this season the weekly closed period, except for trolling, is extended to include the period from 6 o'clock postmeridian Friday to 6 o'clock antemeridian Monday.

2. A new section designated § 124.7a is added to read as follows:

§ 124.7a *Length of gill nets, Burroughs Bay.* The aggregate length of gill nets on or in use by any boat in Burroughs Bay shall not exceed 200 fathoms, hung measure.

3. Effective only through December 31, 1955, § 124.8 is amended by deleting paragraph (b) (1), (d) (2), (f), (o), and (q); and by revising paragraphs (c), and (g) (2) and (3), to read as follows:

(c) Revillagigedo Islands: (1) within 2,500 feet of a point at 55 degrees 13 minutes 34 seconds north latitude, 131 degrees 17 minutes 19 seconds west longitude, and (2) within 2,500 feet of a point at 55 degrees 12 minutes north latitude, 131 degrees 14 minutes 22 seconds west longitude.

(g) * * * (2) within 2,500 feet of a point at 54 degrees 52 minutes 43 seconds north latitude, 130 degrees 57 minutes 19 seconds west longitude; and (3) within 2,500 feet of a point at 54 degrees 48 minutes 12 seconds north latitude, 130 degrees 56 minutes 3 seconds west longitude.

4. Section 124.9 is amended in paragraphs (a), (b), (c), (f), (g), (h), and (i) and by adding paragraphs (k), (l), (m), (n), and (o) to read as follows:

(a) Hidden Inlet: All waters within the inlet.

(b) Fillmore Inlet: All waters north of Edward Passage.

(c) Willard Inlet: All waters north of the northern end of Just Island.

(f) Boca de Quadra: All waters of Marten Arm, Mink Bay, Vixen Bay, Badger Bay, Weasel Cove, and within 5 miles of the head of the bay.

(g) George Inlet: All waters north of California Head.

(h) Smeaton Bay: All waters of Wilson and Bakewell Arms.

(i) Rudyerd Bay: All waters of the north and south arms.

(k) Carroll Inlet: All waters north of Osten Island.

(l) Thorne Arm: All waters north of Eye Point.

(m) Nakat Inlet: All waters north of 54 degrees 50 minutes north latitude.

(n) Harry Bay: All waters of the bay north of Slim Island.

(o) Lucky Cove: All waters within 1,000 yards of the head of the cove.

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

DOUGLAS McKAY,
Secretary of the Interior

FEBRUARY 17, 1954.

[F. R. Doc. 54-1220; Filed, Feb. 19, 1954; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 942]

HANDLING OF MILK IN NEW ORLEANS, LOUISIANA MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at New Orleans, Louisiana, on May 7, 1953, pursuant to notice thereof which was issued on April 23, 1953 (18 F. R. 2505), and reopened at the same location on January 14, 1954, pursuant to notice thereof issued on December 31, 1953 (19 F. R. 70), upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on February 9, 1954, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Said decision, including notice of opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER on February 12, 1954 (19 F. R. 823).

No proposed findings or conclusions or exceptions to the findings and conclusions and actions recommended by the Deputy Administrator were filed within the periods reserved therefor.

The material issues, findings and conclusions, and general findings of the recommended decision (19 F. R. 823, Doc. 54-1026) are hereby approved and adopted as the issues, findings and conclusions, and general findings of this decision as if set forth in full herein.

Order of the Secretary directing that a referendum be conducted, determination of a representative period, and designation of an agent to conduct such referendum. Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c

(19)), it is hereby directed that a referendum be conducted among the producers (as defined in the proposed order as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area) who, during the month of December 1953, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order as amended, to determine whether such producers favor the issuance of the order amending the order, as amended, which is filed herewith.

The month of December 1953 is hereby determined to be the representative period for the conduct of such referendum.

M. M. Truxillo is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177), such referendum to be completed on or before the 10th day from the date this decision is filed.

Marketing agreement and order, as amended. Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the New Orleans, Louisiana, Marketing Area," and "Order, as Amended, Regulating the Handling of Milk in the New Orleans, Louisiana, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 18th day of February 1954.

[SEAL] JOHN H. DAVIS
Assistant Secretary of Agriculture.

Order¹ Amending the Order, As Amended, Regulating the Handling of Milk in the New Orleans, Louisiana, Marketing Area

§ 942.0 Findings and determinations. The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the acts;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

handling the milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the New Orleans, Louisiana, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Delete the proviso in § 942.9 and substitute therefor the following: "Provided, That any such transferring plant shall not be included in this definition during any month in which there is shipped from such plant only Class II milk as defined in § 942.41 (b), or during any of the months of September, October, November, and December, in which shipments of fluid whole milk or fluid skim milk from such plant are made to a plant described in paragraph (a) of this section on less than 20 days or during any other month in which such shipments are made on less than 5 days."

2. Delete § 942.22 (1) (1) and substitute therefor the following:

(1) On or before the 6th day after the end of each delivery period the Class II price of skim milk and butterfat for such delivery period;

3. In the proviso of that portion of § 942.41 which precedes paragraph (a), delete the words "or Class III milk."

4. Delete § 942.41 (a) (3) and substitute therefor the following:

(3) Not specifically accounted for as Class II milk.

5. Delete § 942.41 (b), (c) and (d) and substitute therefor a new paragraph (b) as follows:

(b) Class II milk shall be (1) all skim milk and butterfat used to produce any item other than those classified as Class I milk; (2) skim milk and butterfat disposed of for livestock feed; (3) skim milk dumped; and (4) skim milk and butterfat accounted for as shrinkage but not in excess of 2 percent of receipts of skim milk and butterfat, respectively, from producers.

6. In § 942.42 (a) delete the words "or Class III milk."

7. Delete § 942.43 and substitute therefor the following:

§ 942.43 *Transfers.* Skim milk or butterfat disposed of by a handler during any delivery period in fluid form as milk, skim milk or cream by transfer to another plant shall be classified as follows:

(a) As Class I milk if transferred to the fluid milk plant of another handler (except a producer-handler), unless assignment to a product specified in § 942.41 (b) is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period in which such transfer occurred: *Provided*, That the amount of skim milk or butterfat so assigned shall not exceed the total

skim milk or butterfat, respectively, actually used during the delivery period in such product by the transferee-handler: *And provided further*, That if either or both handlers have received other source milk, skim milk and butterfat so transferred shall be classified at both plants so as to return the highest available utilization to milk received from producers;

(b) As Class I milk if transferred to a producer-handler;

(c) As Class I milk if transferred to any plant other than a fluid milk plant unless:

(1) The handler claims utilization in a product specified in § 942.41 (b);

(2) The operator of such nonfluid milk plant maintains books and records showing the receipts and utilization of all skim milk and butterfat at such plant which are available if requested by the market administrator for the purpose of verification; and

(3) The utilization of skim milk and butterfat at such nonfluid milk plant in Class I milk, as defined in § 942.41 (a), is less than the total pounds of skim milk and butterfat, respectively, received from the transferor-handler(s) and from dairy farmers whom the market administrator determines constitute the regular source of supply for fluid usage in such plant, in which case the skim milk and butterfat transferred shall be assigned to the remaining uses of skim milk and butterfat, respectively, during such delivery period, for which class prices are highest after the similar assignment of the receipts of skim milk and butterfat from such dairy farmers.

8. In § 942.44 delete the words "Class II milk, and Class III." Substitute therefor the following: "and Class II."

9. Delete § 942.45 (a) (1) and substitute therefor the following:

(1) Subtract from the total pounds of skim milk in Class II milk the pounds of shrinkage in producer milk classified as Class II pursuant to § 942.41 (b):

10. In § 942.45 (a) (4) change the term "Class III" wherever it appears to "Class II."

11. Delete §§ 942.51, 942.52 and 942.53 and substitute therefor the following:

§ 942.51 *Class II prices.* Each handler shall pay producers, in the manner set forth in § 942.80, for skim milk and butterfat in milk received from them during each delivery period and classified as Class II skim milk and Class II butterfat, not less than the following prices per hundredweight:

(a) The price per hundredweight of butterfat shall be computed by multiplying by 105 from the effective date hereof through August 1954, and thereafter by 110, the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of 92-score bulk creamery butter per pound at Chicago as reported by the Department of Agriculture during the delivery period;

(b) The price per hundredweight of skim milk shall be any plus amount resulting from the following calculation:

(1) Multiply the price computed pursuant to paragraph (a) of this section by 0.04;

(2) Subtract the amount computed pursuant to subparagraph (1) of this paragraph from the average of the basic or field prices reported to the market administrator to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers during the delivery period at plants at the following locations:

Present Operator and Location

Pet Milk Co., Kosciusko, Miss.
Brookhaven Creamery Co., Brookhaven, Miss.
Borden Food Co., Starkville, Miss.
Kraft Foods Co., Newton, Miss.
Wilson & Co., Macon, Miss.
Cooperative Creamery Assn., Starkville, Miss.

12. Change the number of § 942.54 to § 942.52.

13. In § 942.72 (e) delete "Class III" and substitute therefor "Class II".

14. In § 942.80 (a) delete "Class III" and substitute therefor "Class II."

15. In § 942.81 (b) delete "Class III" and substitute therefor "Class II."

16. In § 942.90 delete the reference to § 942.53 and substitute therefor "§ 942.52."

[F. R. Doc. 54-1242; Filed, Feb. 19, 1954; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 40, 41]

AUTHORITY OF ADMINISTRATOR TO WAIVE CERTAIN PROVING TEST REQUIREMENTS FOR AIR CARRIERS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments to revised Part 40 and Part 41 of the Civil Air Regulations which will permit the Administrator to waive the 50-hour and 25-hour proving test requirements in special cases.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 25, 1954. Copies of such communications will be available after March 29, 1954, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Section 40.63 (b) of revised Part 40 states that an air carrier using a type of aircraft not previously used by it, but previously proved in other operations shall test the aircraft for at least 50 hours of which 25 hours shall be over authorized routes. Section 41.129 (b) has a similar proving requirement for aircraft previously proved on which major changes have been made or on

the use of such aircraft on a substantially different operation. The purpose of these requirements was to insure that an air carrier using a type of aircraft not previously used by it or a type which had been greatly modified would acquire experience in the handling of the aircraft prior to its use in passenger operation. It was also intended that by requiring a certain number of hours of proving tests to be conducted over authorized routes, personnel along the routes would become accustomed to the handling and servicing of the aircraft on the ground.

Prior to using new type aircraft in scheduled passenger operation, air carriers generally conduct a fairly extensive training and familiarization program in the aircraft. While the program may accomplish the purpose of familiarizing all personnel involved in the operation and handling of the new aircraft, it may not comply with the proving test requirements set forth above. For example, while a new type aircraft may have been proved for more than 50 hours and all personnel involved in its operation received adequate training in its handling, these proving tests may not have been conducted over authorized routes. In the past there have been several instances in which an air carrier has conducted rather extensive proving tests prior to using a new type aircraft in scheduled passenger operation but has not conducted 25 hours of these tests over authorized routes. In such cases it is not felt that the specific hourly requirements of §§ 40.63 (b) and 41.129 (b) need be enforced since the purpose of the requirements would have been fulfilled. Since proving tests of aircraft not previously used are conducted under the surveillance of the Civil Aeronautics Administration, it is felt that the Administrator should be permitted to waive the provisions of §§ 40.63 (b) and 41.129 (b) in those cases where purposes of these provisions have been accomplished by the training and indoctrination program conducted by the air carrier.

Accordingly, notice is hereby given that it is proposed to amend revised Part 40 and Part 41 of the Civil Air Regulations to read as follows:

1. By amending the first sentence of § 40.63 (b) of revised Part 40 to read "A type of airplane which has been previously proved shall be tested for at least 50 hours, of which at least 25 hours shall be flown over authorized routes, unless deviations are specifically authorized by the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements unnecessary for safety, when the airplane:"

2. By amending § 41.129 (b) of Part 41 to read as follows:

§ 41.129 Aircraft proving tests. * * *

(b) In a case of major changes on aircraft previously proved, or the use of the same aircraft on a substantially different operation, 50 hours of tests similar to those outlined in the preceding paragraph shall be required, of which at least 25 hours shall be flown over authorized routes, unless deviations are specifically authorized by the Administrator on the

ground that the special circumstances of a particular case make a literal observance of the requirements unnecessary for safety.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. These proposals may be changed in the light of comment received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: February 16, 1954, at Washington, D. C.

By the Bureau of Safety Regulation:

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 54-1224; Filed, Feb. 19, 1954; 8:51 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

[12 CFR Parts 302, 326, 327]

AMENDMENT OF ASSESSMENTS AND OTHER PROVISIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that adoption of the following rules and regulations is contemplated. Prior to their final adoption, however, consideration will be given to any data, views, or comments pertaining thereto which are submitted in writing to the Secretary, Federal Deposit Insurance Corporation, Washington 25, D. C., by any interested person within 30 days from the publication of this notice in the FEDERAL REGISTER.

The proposed regulations are as follows:

1. Part 327 is amended to read as follows:

PART 327—ASSESSMENTS

- Sec.
327.1 Definitions and periods of deduction for uncollected items.
327.2 Payment of assessments by banks whose insured status has terminated.
327.3 Time of payment.

AUTHORITY: §§ 327.1 to 327.3 Issued under sec. 9, 64 Stat. 882; 12 U. S. C. 1819. Interpret or apply secs. 7, 8, 64 Stat. 876-881; 12 U. S. C. 1817, 1818.

§ 327.1 Definitions and periods of deduction for uncollected items. As used in section 7 (a) of the Federal Deposit Insurance Act and in this part:

(a) *Base day; definition.* The term "base day" shall be the period of time beginning with the time of the closing of the books of the bank on the last business day immediately preceding the base day to the time of the closing of the books of the bank on the base day according to the normal and day-by-day practice of the bank. Holidays and other nonbusiness days intervening between the preceding business day and the base day are a part of the base day.

(b) *Cash item; definition.* The term "cash item" means any instrument providing for the payment of money which the reporting bank has received in the regular course of business pursuant to an

agreement under which the bank has given credit to a deposit account or paid in the regular course of business: *Provided*, That the instrument is in the process of collection and is payable on presentation: *Provided further*, That the payer or drawee of the instrument is not the reporting bank or a branch or office thereof. The term reporting bank as used in this part means the bank filing the certified statement for assessment purposes. For the purpose of this paragraph a cash item shall be deemed paid by the reporting bank if the bank has given cash therefor or credit as a payment on a debt due to the bank: *Provided, however*, That an instrument received by a bank in payment of, or arising from, the sale or other disposition of any of its assets is not a cash item.

(c) *Maintenance of assessment records.* Each insured bank, as a condition to the right to make any deduction or exclusion in determining its assessment base, shall maintain such records as will readily permit verification of the correctness thereof.

(d) *Cash items eligible for deduction.* (1) In computing the assessment base only cash items, as defined in this section, may be deducted under either of the two alternative methods described in this part. Such cash items may be deducted without regard to whether withdrawal has been made against the credit given to deposit accounts therefor: *Provided*, That such cash items are credited and withdrawals are made in the normal course of business.

(2) No cash item shall be deducted after the bank has had advice that the item has been paid or dishonored and no deduction may be claimed for instruments received in payment for cash items previously paid or credited to deposit accounts and forwarded for collection nor for instruments received in payment of clearings.

(3) No deduction may be claimed for drafts transferring funds from one correspondent bank to another nor for drafts drawn and delivered or exchanged for the purpose of reducing the assessment base. No deduction may be made for a cash item drawn by an officer, director, stockholder, or affiliate of the reporting bank, or at their suggestion or direction, for the purpose of abnormally increasing the deposits on the base day, or for the purpose of obtaining abnormal deductions. The length of time such funds remain on deposit will be a factor in determining their purpose.

(4) No two reporting banks may deduct the same cash item under the (aa) method¹ for computing deductible cash items unless one of the banks normally, and in the regular course of business, is a collecting and check clearing agent for the other bank. Cash items reaching another bank or banks by special handling on the base day may not be deducted under the (aa) method by such other bank or banks but such other bank or banks may claim deduction therefor

¹ See sec. 7 (a), Federal Deposit Insurance Act, 12 U. S. C. 1817 (a); also paragraph (1) of this § 327.1.

in the actual amount if included in the reported deposit liabilities.

(e) *Process of collection.* (1) A cash item is deemed to be in the process of collection from the time it is either credited to a deposit account or paid by the reporting bank and until the reporting bank has received payment in the form of cash, an acceptable credit, or a draft or officer's check, or notice of dishonor, but such draft or officer's check is not a cash item for the purpose of claiming deductions; *Provided*, That an item shall not be considered as uncollected at the close of business on the base day if such item has been outstanding for a period in excess of the time necessary to send the item in due course to the Federal Reserve Bank of the Federal Reserve district or a branch thereof in which the reporting bank is located, plus the time allowed for collection from the place where the item is payable, as shown on the current Time Schedule of such Federal Reserve Bank or branch thereof; *Provided further*, In the case of an insured bank or branch located outside of any Federal Reserve district, an item shall not be considered as uncollected at the close of business on the base day if such item has been outstanding for a period in excess of the time from the date the cash item is paid or credited to a deposit account and the date of receipt (in the usual course of business) by the correspondent bank to which the item is forwarded for collection plus the collection time allowed by the Federal Reserve Time Schedule for the district in which the correspondent bank is located.

(2) A cash item drawn on a place not included in the Federal Reserve Time Schedule may be considered to be in the process of collection for the actual time required to collect it.

(3) This section is not to be construed as requiring any bank to clear items through any Federal Reserve Bank or branch thereof.

(f) *Forwarded for collection.* Cash items shall be deemed to have been forwarded for collection on the base day if they have been received and forwarded by the bank on the base day (that is, after the closing of the books on the preceding business day and prior to the closing of the books on the base day) and shall have been paid or credited to deposit accounts on that day including such items which in accordance with the normal procedures of the bank are still in its possession at the time of the closing of the books on the base day. When holidays and other nonbusiness days intervene between the previous business day and the base day the cash items transmitted for collection on any such intervening nonbusiness day may not be treated as cash items forwarded for collection on the base day if collected or if the maximum period for deductions prescribed in paragraph (e) of this section shall have expired at the time of the closing of the books on the base day.

(g) *Held for clearings.* A cash item is considered to be held for clearings at the close of business on the assessment base day if the payer or drawee of the instrument is a bank or person, other than the reporting bank, located in the same city

or is a member or associate member of the same clearing house as the reporting bank and the cash item has been received in the usual course of business on the base day and before the closing of the books on that day but after the normal time for effecting clearings with the other local banks or at the clearing house on the base day or, when the payer or drawee is a person other than a bank, after the time it is normally presented for collection in the usual course of business.

(h) *Payable on presentation.* The term "payable on presentation" means any instrument which the payer or drawee is required to forthwith and unconditionally pay when presented. The term includes such items as warrants directed to a public official to pay on demand the amount thereof, matured bonds, matured coupons, sight drafts, and "payable through" items. The term does not include such items payable on demand as promissory notes, or drafts payable on the arrival or inspection of certain goods, or other items which are not customarily cleared or collected by banks as cash items.

(i) *Choice of method in computing deductible cash items.* An insured bank may, at its option compute its deductible cash items by either of the two following methods, designated (aa) and (bb), namely:

(aa) Under this method a bank may deduct, multiplied by two, the total of the cash items forwarded for collection on the base day and cash items held for clearings at the close of business on said day, which are in the process of collection and which were received and recorded on the books of the bank on the base day, all in accordance with the normal and day-by-day procedure of the bank.

(bb) Under this method a bank may deduct the total of the cash items forwarded for collection on the base day and cash items held for clearings at the close of business on said day, which are in the process of collection and which were received and recorded on the books of the bank on the base day, plus the amount of the cash items paid or credited on the preceding days which remain uncollected on the assessment base day, all in accordance with the normal and day-by-day procedure of the bank. If the (bb) method is used, no cash item may be considered uncollected for any period in excess of that prescribed in paragraph (e) of this section.

(j) *Option to claim deductions for uncollected items; change of method.* The reporting bank may select either of the two alternate methods, (aa) or (bb), for claiming deductions for exchanges, provided this same method is used for both base days in the semiannual assessment period. After this selection is made and a certified statement filed, the bank may not thereafter file amendments for such period for the purpose of changing to the other alternate method. When a bank has elected not to claim any deductions for exchanges in its certified statement for any period, it may not thereafter file an amended certified statement claiming such deduction for said period.

(k) *Direct sendings of uncollected items.* For the purposes of this part a cash item received on a base day by a correspondent bank or a Federal Reserve Bank or branch thereof is considered as being received by the reporting bank on the base day if, in the normal course of the bank's business, the cash item has been forwarded direct to such correspondent by a depositor of the reporting bank for credit to the depositor's account in the reporting bank and the reporting bank enters such credit to the account of the depositor on the base day. Deductions may be claimed by the reporting bank for only the cash items in such direct sendings which remain uncollected at the time of the closing of the books on the base day. No deduction may be taken for any such cash item which would have been collected if the item had been forwarded directly to the reporting bank instead of to the correspondent, and all deductions claimed must be supported by proper records maintained by the reporting bank.

(l) *Interbranch items.* An item which is drawn against a deposit account maintained in the main office or a branch office of the reporting bank and which is received by an office other than the office where the deposit account is carried and which has been paid or credited to a deposit account but has not been charged against the deposit account on which it is drawn may not be claimed as a deduction for exchanges but only the actual amount thereof may be deducted from the deposit liabilities.

(m) *Reciprocal bank balances.* A reciprocal bank balance for the purpose of this part is where the reporting bank has a deposit balance due to another insured bank and such reporting bank has a deposit balance "due from" the same insured bank, disregarding for this purpose balances representing deposits of trust funds. The reporting bank must include in the total of its deposit liabilities for assessment purposes the total of its deposit liability to the said insured bank as shown on the books of the reporting bank at the time of the closing of its books on the base day. It may deduct from such total deposit liabilities the amount of the deposit balance "due from" such insured bank but not in an amount in excess of the balance due to such insured bank. For the purpose of computing the reciprocal bank balance deduction the balances used must be subject to immediate withdrawal. This means that both the "due to" and "due from" balances in the reporting bank must be reduced to collected balances. Any outstanding unpaid draft credited to the "due from" account should be added to the balance to show the actual collected balance due from the other insured bank in computing this deduction.

(n) *Trust funds deposited in other insured banks; deduction.* The term "trust funds" means funds held by an insured bank in a fiduciary capacity and includes, without being limited to, funds held as trustee, executor, administrator, guardian, or agent. The reporting bank shall include in its total deposit liabilities for assessment purposes all trust funds held by it in a fiduciary capacity. It may deduct from such total

deposit liabilities the portion of such trust funds which it has deposited in another insured bank only where (1) with respect to trust funds received by the fiduciary bank in its trust department, the fiduciary bank has deposited such funds directly from its trust department to the depositee bank; (2) with respect to trust funds received by other departments of the bank from sources other than the trust department, the fiduciary bank has deposited such funds directly from such department or from its trust department to the depositee bank; (3) the account is maintained in the depositee bank by the reporting bank as fiduciary and the account is appropriately entitled to show that the funds therein are trust funds; (4) the funds in such account are used exclusively for their trust purposes by the fiduciary reporting bank; and (5) records are maintained which clearly show that the trust funds have been deposited in the manner stated above.

§ 327.2^a Payment of assessments by banks whose insured status has terminated—(a) *Assumed deposits of terminating bank become deposits of assuming bank.* The deposit liabilities of an insured bank, if assumed by another insured bank, will, except to the extent that depositors of the first bank by affirmative action signify their express intention to hold the first bank liable as a debtor, be presumed for assessment purposes to cease being deposit liabilities of the first bank on the date the assumption becomes effective: *Provided*, That the requisite notice of assumption be given to the depositors of the terminating

bank.* The assumed deposits, for assessment purposes, are deposit liabilities of the assuming bank from the date of assumption, whether or not the requisite notice of assumption has been given to the depositors.

(b) *Payment of assessments by assuming bank on assumed deposits of terminating bank.* Where the deposit liabilities of an insured bank are assumed by another insured bank and the assuming bank agrees to file the certified statement which the terminating bank is required to file, the filing of such certified statement and the payment of the assessment thereon by the assuming bank shall be deemed the acts of the terminating bank: *Provided*, That the requisite notice of assumption^b be given to the depositors of the terminating bank and, *Provided further*, That such certified statement shall be filed separately from that required to be filed by the assuming bank.

(c) *Resumption of insured status before insurance of deposits ceases.* If a bank whose insured status has been terminated under section 8 (a) or (b) of the Federal Deposit Insurance Act, makes application to the Corporation, before the insurance of its deposits shall have ceased, to be permitted to continue or to resume its status as an insured bank and if the Board of Directors grant the application, the bank will be deemed, for assessment purposes, to continue as an insured bank and must thereafter furnish certified statements and pay assessments as though its insured status had not been terminated. For the proce-

dures to be followed in making such application, see § 303.7 of this chapter.

§ 327.3^a Time of payment. Each insured bank shall pay to the Corporation the amount of the semiannual assessment due to the Corporation, as shown on its certified statement, at the time such statement is required to be filed under Section 7 (b) of the Federal Deposit Insurance Act.

2. Section 302.3 is amended by deleting the words "Committee on Administration" and substituting therefor the words "Special Committee".

3. Paragraph (a) of § 326.1 is amended by deleting the words "cashier's checks and other officer's checks" and substituting therefor the words "cashiers' checks, and other officers' checks."

4. Paragraph (c) of § 326.1 is amended (1) by deleting the words "Traveler's checks and letters of credit" and substituting therefor the words "Letters of credit and traveler's checks" and (2) by deleting the words "traveler's checks or letters of credit" and substituting therefor the words "letters of credit or traveler's checks".

5. Section 326.2 is amended by deleting the words "cashier's checks and other officer's checks, traveler's checks and letters of credit" and substituting therefor "cashiers' checks and other officers' checks, letters of credit and traveler's checks."

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] E. F. DOWNEY,

Secretary.

[F. R. Doc. 54-1246; Filed, Feb. 19, 1954; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2583, Amdt. 8]

BUREAU OF LAND MANAGEMENT

DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES

Section 1.5 of Order No. 2583, as amended (15 F. R. 5643, 6997; 16 F. R. 6805; 17 F. R. 7513, 10486; 18 F. R. 161, 3446, 5715), is amended to read as follows:

Sec. 1.5 Redelegation. The Director may, in writing, redelegate to any officer or employee of the Bureau the authority vested in him by this order, and he may authorize written redelegations of such authority. Each redelegation shall be published in the **FEDERAL REGISTER**.

(Sec. 2, Reorganization Plan No. 3 of 1950; 5 U. S. C., 1952 ed., sec. 1332-15, note)

DOUGLAS MCKAY,
Secretary of the Interior.

FEBRUARY 16, 1954.

[F. R. Doc. 54-1217; Filed, Feb. 19, 1954; 8:49 a. m.]

^aNo changes made in this section (formerly § 327.3).

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF FRENCH NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. section 814.

(1) Agreement No. 7810-3, between the Member Lines of the French North Atlantic Westbound Freight Conference, modifies the basic agreement of that conference (No. 7810) by incorporating therein a general provision setting forth the fact that new conference members will automatically become a party to, and members withdrawing from the conference will automatically cease to be a party to any agreement entered into between the members and any other carrier or other person subject to the Shipping Act, 1916.

^aThe requisite notice of assumption shall be the notice prescribed in § 307.3 of this chapter.

(2) Agreement No. 7953, between Pope & Talbot, Inc., Pacific Argentine Brazil Line, Inc., and Pacific Transport Lines, Inc., covers the transportation of cargo under through bills of lading from Puerto Rico to Japan, China, Hong Kong and the Philippine Islands, with transshipment at Los Angeles or San Francisco.

(3) Agreement No. 7955, between Matson Navigation Company, The Oceanic Steamship Company, American President Lines, Ltd., and Railway Express Agency, Incorporated, is an arrangement whereby the ocean carriers agree to transport express shipments for the Railway Express Agency in the trade between Los Angeles and San Francisco and the Hawaiian Islands at specified rates. Agreement No. 7955 will supersede and cancel Agreement No. 7766, between Matson Navigation Company and Railway Express Agency, Incorporated, and Agreement No. 7767, between American President Lines, Ltd., and Railway Express Agency, Incorporated.

(4) Agreement No. 7965 between Gulf Atlantic Warehouse Co., The Sprunt Corporation and Manchester Terminal Cor-

^aNo changes made in this section (formerly § 327.4).

^bSee §§ 304.1 and 304.3 of this chapter.

poration, all of Houston, Texas, provides for specific dockage charges, based on a 24 hour day or fraction thereof, to be assessed at their terminals at Houston, and further provides for the pro-rating of such charges in the event a vessel on any one visit, docks at two or more of the terminals of the parties or at a dock of the Harris County Houston Ship Channel Navigation District and one or more of the docks of the parties.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: February 17, 1954.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 54-1228; Filed, Feb. 19, 1954;
8:52 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended June 2, 1952, 17 F. R. 3818).

Abingdon Manufacturing Corp., Abingdon, Va., effective 2-26-54 to 2-25-55; 10 percent of the total number of factory production workers engaged in the manufacture of men's woven pajamas, for normal labor turnover purposes (men's woven pajamas).

Cay Artley Apparel, Inc., 232 Levegood Street, 389 Maple Avenue, 236 Franklin Street, Johnstown, Pa., effective 2-12-54 to 2-11-55; 10 percent of the total number of

factory production workers for normal labor turnover purposes (dresses).

Biltmore Manufacturing Co., Inc., Sweeten Creek Road, Biltmore, N. C., effective 2-16-54 to 2-15-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and children's sportswear).

David Manufacturing Co., 80 Broad Street, Beaver Meadows, Pa., effective 2-28-54 to 2-27-55; 10 learners for normal labor turnover purposes (children's bathrobes).

Fawn Grove Manufacturing Co., Inc., Fawn Grove, Pa., effective 2-20-54 to 2-19-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' work and semi-dress trousers, etc.).

Fawn Grove Manufacturing Co., Inc., Rising Sun, Md., effective 2-20-54 to 2-19-55; 10 learners for normal labor turnover purposes (dungarees, overalls, coveralls, etc.).

F. Jacobson & Sons, Inc., Tipton and O'Brien Streets, Seymour, Ind., effective 2-12-54 to 2-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's dress and sport shirts).

Lenore Dress Co., 665 Washington Avenue, Jermyn, Pa., effective 2-9-54 to 2-8-55; 5 learners for normal labor turnover purposes (dresses).

Madison Dress Co., Green and Wyoming Streets, Hazleton, Pa., effective 2-13-54 to 2-12-55; 10 learners for normal labor turnover purposes (women's dresses).

Nunnally & McGree Co., Pickens County, Jasper, Ga., effective 2-26-54 to 2-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Oberman Manufacturing Co., Morrilton, Ark., effective 2-11-54 to 2-10-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' single pants).

Reliance Manufacturing Co., "Freedom" Factory, Hattiesburg, Miss., effective 2-12-54 to 2-11-55; 10 percent of the total number of factory production workers, for normal labor turnover purposes (men's and boys' pajamas, and sport shirts).

Reliance Manufacturing Co., "Dixie" Factory, 100 Ferguson Street, Hattiesburg, Miss., effective 2-8-54 to 2-7-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts and pants).

The Seaford Garment Co., Phillips Street, Seaford, Delaware, effective 2-13-54 to 2-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sport shirts).

Henry I. Siegel Co., Inc., Fulton, Ky., effective 2-14-54 to 2-13-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Henry I. Siegel Co., Inc., Trezevant, Tenn., effective 3-1-54 to 2-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Henry I. Siegel Co., Inc., Bruceton, Tenn., effective 3-1-54 to 2-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts, pants, dungarees, etc.).

Henry I. Siegel Co., Inc., Dickson, Tenn., effective 3-1-54 to 2-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts and pants).

Snowdon, Inc., Osceola, Iowa, effective 2-19-54 to 2-18-55; 5 learners for normal labor turnover purposes (women's lingerie).

Sorbeau Juvenile Manufacturing Co., 821 Central Avenue, Dubuque, Iowa, effective 2-14-54 to 2-13-55; 5 learners for normal

labor turnover purposes (infants' layette garments, pajamas and playwear).

Southeastern Garment Co., Ltd., 128 Lumpkin Street, Monroe, Ga., effective 2-21-54 to 2-20-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (pants).

H. B. Spoon Co., 12-18 East Coal Street, Shenandoah, Pa., effective 3-1-54 to 2-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' blouses, shorts, pedal pushers, etc.).

W. E. Stephens Manufacturing Co., Inc., Carthage, Tenn., effective 3-1-54 to 2-28-55; 10 learners for normal labor turnover purposes (dungarees).

Wayne Sportswear Co., 234-240 West North Street, Waynesboro, Pa., effective 2-10-54 to 2-9-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's slacks).

Williamson-Dickie Manufacturing Co., Weslaco, Tex., effective 2-11-54 to 8-10-54; 50 learners for plant expansion purposes (men's and boys' pants).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as amended November 19, 1951, 16 F. R. 10733).

Acme Hosiery Mills, Inc., 159 North Street, Asheboro, N. C., effective 2-12-54 to 2-11-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Bloomsburg Hosiery Mills, Inc., 164 West Ninth Street, Bloomsburg, Pa., effective 2-12-54 to 2-11-55; 5 learners for normal labor turnover purposes.

Owen Osborne Hosiery Mills, Inc., Gainesville, Ga., effective 2-9-54 to 2-8-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Shenandoah Knitting Mills, Inc., Shenandoah, Va., effective 2-9-54 to 2-8-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866).

Snowdon, Inc., Osceola, Iowa, effective 2-19-54 to 2-18-55; 5 learners for normal labor turnover purposes (women's lingerie).

The following special learner certificates were issued in Puerto Rico and in the Virgin Islands to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Sylvania Electric of Puerto Rico, Inc., Bayamon, P. R., effective 1-28-54 to 2-27-54; 163 learners. Any productive factory operation in assembling telephone switchboard lamps and radio receiving tubes: 93 learners—160 hours at 34 cents an hour, 160 hours at 37 cents an hour, 160 hours at 40 cents an hour; 5 learners—160 hours at 34 cents an hour, 160 hours at 37 cents an hour; 65 learners—160 hours at 34 cents an hour (telephone switchboard lamps and radio receiving tubes).

Virgin Islands Button Co., Inc., Charlotte Amalie, St. Thomas, V. I., effective 1-25-54 to 7-24-54; 5 learners. Cutters, 240 hours at 35 cents an hour, 240 hours at 40 cents an hour (pearl buttons).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for em-

ployment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER, pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 15th day of February 1954.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 54-1198; Filed, Feb. 19, 1954;
8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6494]

REPUBLIC CARLOADING AND DISTRIBUTING
CO., INC., ET AL.

NOTICE OF HEARING

In the matter of the joint application of Republic Carloading and Distributing Co., Inc., Republic Air Freight, Inc., W. R. Mote, T. R. Bartels, and J. J. Oberdorf to waive section 409 of the act.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on February 23, 1954, at 9:00 a. m., e. s. t., in Room 5859, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., February 16, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-1223; Filed, Feb. 19, 1954;
8:51 a. m.]

[Docket No. 6207]

CITY OF NEWPORT, VERMONT

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of the City of Newport, Vermont for regularly scheduled airline service.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding assigned to be held on February 24, 1954 in Washington, D. C., is hereby postponed and reassigned to be held on March 29, 1954 at 10:00 a. m., e. s. t., in Room 1205, Temporary Building No. 4, Seventeenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., February 18, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-1253; Filed, Feb. 19, 1954;
8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6546]

PACIFIC POWER & LIGHT CO.

NOTICE OF APPLICATION

FEBRUARY 15, 1954.

Take notice that on February 12, 1954, an application was filed with the Federal Power Commission under section 204 of the Federal Power Act, by Pacific Power & Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Oregon, Washington and Idaho, with its principal business office at Portland, Oregon, seeking an order authorizing the issuance by competitive bidding of \$8,000,000 in aggregate principal amount of its First Mortgage Bonds, Series due 1984; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application, should on or before the 8th day of March 1954, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1200; Filed, Feb. 19, 1954;
8:46 a. m.]

[Docket No. G-2188]

CITY OF FAYETTE, ALABAMA

NOTICE OF FINDINGS AND ORDER

FEBRUARY 16, 1954.

Notice is hereby given that on February 11, 1954, the Federal Power Commission issued its order adopted February 10, 1954, dismissing application for a certificate of public convenience and necessity under section 7 (a) of the Natural Gas Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1201; Filed, Feb. 19, 1954;
8:46 a. m.]

[Docket No. G-2229]

NORTHWEST ALABAMA GAS DISTRICT

NOTICE OF FINDINGS AND ORDER

FEBRUARY 16, 1954.

Notice is hereby given that on February 11, 1954, the Federal Power Commission issued its order adopted February 10, 1954, in the above-entitled matter, directing physical connection of facilities and sale of natural gas to the City of Fayette, Alabama.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1202; Filed, Feb. 19, 1954;
8:46 a. m.]

[Docket Nos. G-2310, G-2316, G-2321,
G-2330, G-2331]

IROQUOIS GAS CORP. ET AL.

ORDER CONSOLIDATING PROCEEDINGS, FIXING DATE OF HEARING AND SPECIFYING PROCEDURE

In the matters of Iroquois Gas Corporation and Tennessee Gas Transmission Company, Docket No. G-2310; Tennessee Gas Transmission Company, Docket No. G-2316; West Tennessee Public Utility District of Weakley, Carroll and Benton Counties, Tennessee, Docket No. G-2321; New York State Natural Gas Corporation and Tennessee Gas Transmission Company, Docket No. G-2330; Tennessee Gas Transmission Company, Docket No. G-2331.

Iroquois Gas Corporation (Iroquois), a New York corporation with its principal place of business in Buffalo, New York, and Tennessee Gas Transmission Company (Tennessee), a Delaware corporation with its principal place of business in Houston, Texas, filed on November 10, 1953, as joint applicants in Docket No. G-2310, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction, acquisition and joint operation of certain natural gas underground storage facilities.

Tennessee filed, on November 18, 1953, an application, and on December 11, 1953, an amended application, in Docket No. G-2316, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the utilization of unallocated capacity for transportation of natural gas for the account of Equitable Gas Company.

West Tennessee Public Utility District of Weakley, Carroll, and Benton Counties, Tennessee (West Tennessee), filed on November 27, 1953, in Docket No. G-2321, an application, pursuant to section 7 (a) of the Natural Gas Act, for an order directing Tennessee to establish physical connection of its transportation facilities with West Tennessee's facilities.

New York State Natural Gas Corporation (New York Natural), a New York corporation with its principal place of business in Pittsburgh, Pennsylvania, and Tennessee, on December 11, 1953, filed as joint applicants in Docket No. G-2330 an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the acquisition, development and joint operation of certain natural gas underground storage facilities.

Tennessee, on December 11, 1953, filed, in Docket No. G-2331, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of transportation, measuring and regulating facilities for the sale of additional contract-demand gas to five existing customers and four new customers in the New York-New Jersey area. The proposed facilities are also expected to be used to render a storage service at some future

date, although Tennessee is not proposing to render such service at this time.

Due notice of the filing of said applications has been given, including publication in the FEDERAL REGISTER, as follows:

Docket No. G-2310, Docket No. G-2330, Docket No. G-2331, January 12, 1954 (19 F. R. 218, 219); Docket No. G-2316, December 12, 1953 (18 F. R. 8192); Docket No. G-2316 (amended), December 23, 1953 (18 F. R. 8663); Docket No. G-2321, December 15, 1953 (18 F. R. 8213).

The operations, as described in the applications on file with the Commission and open to public inspection, sought to be certificated in Docket Nos. G-2310, 2316, 2330 and 2331, pursuant to section 7 (c) of the Natural Gas Act, are interrelated. The application in Docket No. G-2321, filed pursuant to section 7 (a) involves matters common to those under consideration in the interrelated dockets.

The Commission finds:

(1) It is reasonable and appropriate in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists for consolidating the above proceedings in Docket Nos. G-2310, G-2316, G-2321, G-2330, and G-2331 for purpose of hearing, and to hold a public hearing in the above-entitled proceedings at the time and place hereinafter ordered.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and it is in the public interest that the procedure hereinafter prescribed with respect to the presentation of evidence be ordered.

The Commission orders:

(A) The aforesaid proceedings in Docket Nos. G-2310, G-2316, G-2321, G-2330, and G-2331 be and the same hereby are consolidated for purposes of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR, Chapter I), a public hearing shall be held commencing on March 15, 1954, at 10 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented in the above-entitled proceedings.

(C) Evidence presented by the applicants in the above-entitled proceedings shall be in the following order: Docket Nos. G-2316, G-2310, G-2330, G-2331, and G-2321.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of said rules of practice and procedure.

Adopted: February 12, 1954.

Issued: February 16, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1199; Filed, Feb. 19, 1954; 8:46 a. m.]

[Docket No. G-2364]

LONE STAR GAS CO.

NOTICE OF APPLICATION

FEBRUARY 16, 1954.

Take notice that on February 9, 1954, Lone Star Gas Company (Applicant), a Texas corporation with its principal office in Dallas, Texas, filed an application pursuant to section 7 of the Natural Gas Act for (1) a certificate of public convenience and necessity authorizing the construction and operation of 6221 feet of 6-inch transmission pipeline (crossing Red River at a point between Wichita County, Texas, and Tillman County, Oklahoma); and (2) permission and approval to abandon in place 6,539 feet of 4-inch pipe comprising the old river crossing of Red River at approximately the same point referred to in (1) above, and being replaced by the pipeline described in (1) above, subject to the jurisdiction of the Commission.

The application recites that the Red River crossing being replaced has developed such large and numerous leaks due to either water or sand action that it is not feasible to repair and maintain the pipe in the line comprising the crossing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of March 1954. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1203; Filed, Feb. 19, 1954; 8:46 a. m.]

[Project No. 739]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF ORDER MODIFYING AND AFFIRMING AS MODIFIED INITIAL DECISION TO DETERMINE ACTUAL LEGITIMATE COST

FEBRUARY 16, 1954.

Notice is hereby given that on February 11, 1954, the Federal Power Commission issued its order adopted February 10, 1954, modifying and affirming as modified initial decision to determine actual legitimate original cost in the above-entitled matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-1204; Filed, Feb. 19, 1954; 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 15-DPAV-45 (a)]

NOTICE OF WITHDRAWAL OF REQUEST TO PARTICIPATE IN DEFENSE WAREHOUSEMEN'S ASSOCIATION AGREEMENT OF CHICAGO

The Defense Warehousemen's Association of Chicago formed pursuant to

section 708 of the Defense Production Act of 1950, as amended, has been dissolved and accordingly the request published in 17 F. R. 9947, on November 4, 1952, to participate in the Defense Warehousemen's Association Agreement transmitted and accepted by those companies listed in the FEDERAL REGISTER cited above has been withdrawn.

The immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act heretofore granted to those companies has been likewise withdrawn, except as to those acts performed or omitted by reason of the request which occurred prior to that withdrawal.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; E. O. 10480, August 14, 1953, 18 F. R. 4939)

Dated: February 17, 1954.

ARTHUR S. FLEMING,
Director.

[F. R. Doc. 54-1221; Filed, Feb. 19, 1954; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3042]

GENERAL PUBLIC UTILITIES CORP. AND
METROPOLITAN EDISON CO.

SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE AND SALE TO BANKS OF NOTES

FEBRUARY 15, 1954.

General Public Utilities Corporation ("GPU"), a registered holding company, and Metropolitan Edison Company ("Meted"), a public-utility subsidiary of GPU, having filed a joint application, and amendments thereto, pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act"), regarding the proposal of Meted, inter alia, to issue and sell to three banks, pursuant to the terms of a credit agreement between Meted and the said banks, unsecured notes in an amount not to exceed \$7,500,000 outstanding at any one time;

The Commission by Order dated May 8, 1953 (Holding Company Act Release No. 11901), having granted said amended application, subject, however, to a condition, among others, to the effect that Meted shall not issue and sell any notes under the credit agreement if, after such issuance and sale, there would be more than \$4,200,000 of such notes outstanding at any one time, unless and until an amendment shall have been filed by Meted and a further order shall have been issued, which order may contain such further conditions as may then be deemed appropriate; and that jurisdiction be reserved with respect to the issuance and sale by Meted of any notes under the credit agreement as a result of which the aggregate principal amount of notes outstanding thereunder at any time would exceed \$4,200,000;

GPU and Meted having filed a further amendment to their joint application stating that Meted has borrowed \$1,200,000 under the credit agreement and that Meted contemplates that, in addition to the \$1,200,000 of loans now outstanding

under the credit agreement, it will, during 1954, borrow an additional \$6,300,000 under such credit agreement prior to the time of the financings which will supply it with the common stock and bond components of its 1954 financing program;

GPU and Meted having, in said amendment, requested that the Commission amend its order of May 8, 1953, so as to remove the condition therein which limits the amount Meted may borrow under its credit agreement and have outstanding at any one time;

GPU and Meted having estimated that the expenses to be incurred in connection with each closing involving the sale of additional notes by Meted will not exceed \$550 for legal fees and \$500 for miscellaneous out-of-pocket expenses, which if they do not exceed those amounts do not appear unreasonable; and

The Commission finding with respect to said application, as further amended, that the applicable standards of the act and the rules thereunder are satisfied and that it is not necessary to impose any terms and conditions other than those contained in Rule U-24, and deeming it appropriate that said application, as further amended, be granted:

It is hereby ordered, Pursuant to Rule U-23, that said application, as further amended, be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and the jurisdiction reserved in the Commission's order of May 8, 1953, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-1210; Filed, Feb. 19, 1954;
8:48 a. m.]

[File No. 70-3151]

NEW ENGLAND GAS AND ELECTRIC ASSN.
SUPPLEMENTAL ORDER AUTHORIZING 60-DAY
EXTENSION OF VOLUNTARY EXCHANGE OFFER

FEBRUARY 15, 1954.

The Commission, by order entered on December 23, 1953, pursuant to sections 7 and 10 of the Public Utility Holding Company Act of 1935 ("act") having authorized New England Gas and Electric Association ("Negas"), a registered holding company, to make a voluntary exchange offer, during a 60-day period, of its own common shares for publicly held common shares (6,763.4 shares, or 2.39 percent) of its subsidiary New Bedford Gas and Edison Light Company ("New Bedford") on the basis of 4 1/4 Negas common shares for each New Bedford common share, with cash payment for fractional shares on the basis of \$15 per whole share of Negas common (Holding Company Act Release No. 12274); and

Negas on February 10, 1954, having filed a further amendment (being Amendment No. 5) to its declaration herein setting forth that at the close of business February 5, 1954, minority stockholders of New Bedford holding

2,550,757 shares (being 37.7 percent of the minority shares outstanding at the commencement of the exchange offer) had accepted the exchange offer, and proposing to extend the period of the exchange offer for an additional period of 60 days following February 23, 1954; and

The Commission having re-examined the record herein and finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that the requested extension should be granted and that the declaration, as further amended, should be permitted to become effective forthwith:

It is ordered, That the declaration, as further amended, be and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-1207; Filed, Feb. 19, 1954;
8:47 a. m.]

[File No. 70-3179]

MIDDLE SOUTH UTILITIES, INC.

ORDER REGARDING RECLASSIFICATION OF
COMMON STOCK

FEBRUARY 15, 1954.

Middle South Utilities, Inc. ("Middle South"), a registered holding company, having filed a declaration, pursuant to sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to transactions which are summarized as follows:

Middle South proposes that the 12,000,000 shares of its authorized Common Stock without par value, including the outstanding 7,125,000 shares of such stock, be reclassified into 12,000,000 shares of Common Stock having a par value of \$10 each, whereby the Capital Stock account of Middle South will be stated at \$71,250,000, and whereby the sum of \$56,345,800 will be transferred from Capital Stock to Capital Surplus (Paid-In Surplus). The proposal will be submitted to the Company's stockholders for their approval only after a further order by the Commission.

It is stated that no State or Federal Commission, other than this Commission, has jurisdiction over the proposed transactions. No separately allocable expenses are being incurred in connection with the proposed transactions and legal work thereon is included in counsel's regular retainer.

Due notice having been given of the filing of the declaration and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public

interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith without the imposition of terms and conditions, other than those specified in Rule U-24:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration, as amended, be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-1206; Filed, Feb. 19, 1954;
8:47 a. m.]

[File No. 70-3180]

CAMBRIDGE ELECTRIC LIGHT CO.

ORDER AUTHORIZING PROPOSED BORROWING
FROM BANK

FEBRUARY 15, 1954.

Cambridge Electric Light Company ("Applicant"), an electric utility subsidiary of New England Gas and Electric Association, a registered holding company, having filed with this Commission an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transaction:

Applicant proposes to borrow from time to time on notes payable to The First National Bank of Boston, funds not exceeding in the aggregate \$2,750,000, the notes to mature more than one year after date thereof but not later than June 30, 1955, and to bear interest at the prime Boston rate for commercial paper plus 1/4 of 1 percent, with a maximum of 3 1/2 percent and a minimum of 3 percent, the interest rate to be adjusted every ninety days in the event of a change in the prime rate.

The purpose of said borrowing is to pay notes payable, aggregating \$500,000, to The First National Bank of Boston, due December 31, 1954, bearing interest at the rate of 3 1/4 percent per annum, incurred for the purpose of temporarily financing additions to Applicant's property, plant and equipment. The balance of the borrowing, \$2,250,000, will be used to partially reimburse the Plant Replacement Fund for expenditures made therefrom to finance extensions, additions and improvements to property, plant and equipment.

Applicant's expenses are estimated at \$800, including \$150 for legal services.

The proposed borrowing has been expressly authorized by the Department of Public Utilities of Massachusetts, in which State the Applicant is organized and doing business.

Due notice having been given of the filing of said application, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate

in the public interest and in the interest of investors and consumers that said application be granted, effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application be, and it hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[P. R. Doc. 54-1205; Filed, Feb. 19, 1954;
8:47 a. m.]

[File No. 70-3194]

POTOMAC EDISON CO. ET AL.

NOTICE OF FILING OF APPLICATION-DECLARATION FOR ISSUE AND SALE OF COMMON STOCK BY SUBSIDIARIES AND ACQUISITION THEREOF BY PARENT

FEBRUARY 15, 1954.

In the matter of the Potomac Edison Company, Northern Virginia Power Company, Potomac Light and Power Company, File No. 70-3194.

Notice is hereby given that the Potomac Edison Company ("Potomac Edison"), a registered holding company and a Maryland corporation, and its public-utility subsidiaries, Northern Virginia Power Company ("Northern Virginia"), a Virginia corporation, and Potomac Light and Power Company ("Potomac Light"), a West Virginia corporation, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder. Applicants-declarants have designated sections 6, 7, 9, 10 and 12 of the act and Rules U-43, U-44 and U-50 (a) (3) and (a) (4) as applicable to the proposed transactions, which are summarized as follows:

Northern Virginia proposes to issue and sell for cash 7,515 shares of its unissued common stock, of the par value of \$100 per share, to Potomac Edison at a price equal to the par value thereof, or a total consideration of \$751,500.

Potomac Light proposes to issue and sell for cash 6,900 shares of its unissued common stock, of the par value of \$100 per share, to Potomac Edison at a price equal to the par value thereof, or a total consideration of \$690,000.

Potomac Edison proposes to acquire and purchase the additional shares of common stock proposed to be issued and sold by Northern Virginia and Potomac Light for a cash consideration equal to the aggregate par value of said common stocks.

Northern Virginia and Potomac Light each proposes to use the proceeds derived from the sale of such additional shares of common stocks for the payment, in part, of the cost of construction of property additions during 1954. Such expenditures are estimated in the amount of \$1,280,400 for Northern Virginia and

in the amount of \$1,159,800 for Potomac Light.

Northern Virginia and Potomac Light will issue the shares of common stock from time to time prior to December 31, 1954. On acquisition by Potomac Edison such shares will be pledged as collateral security for Potomac Edison's First Mortgage and Collateral Trust Bonds, in accordance with the terms of the Indenture, dated October 1, 1944, as supplemented, between Potomac Edison and Chemical Bank & Trust Company (New York) as Trustee.

Applicants-declarants state that the Public Service Commission of Maryland and the Public Service Commission of West Virginia have jurisdiction over the proposed acquisition by Potomac Edison of the common stocks of Northern Virginia and Potomac Light and that the State Corporation Commission of Virginia has jurisdiction over the proposed issuance and sale of common stock by Northern Virginia.

Fees and expenses are estimated in the amount of \$2,250.

Notice is further given that any interested person may, not later than February 28, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 28, 1954, such joint application-declaration as filed or as amended, may be granted, or permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[P. R. Doc. 54-1209; Filed, Feb. 19, 1954;
8:48 a. m.]

[File No. 70-3195]

INDIANA & MICHIGAN ELECTRIC CO. ET AL.

NOTICE OF FILING REGARDING MERGER OF PUBLIC UTILITY SUBSIDIARIES OF REGISTERED HOLDING COMPANY

FEBRUARY 15, 1954.

In the matter of Indiana & Michigan Electric Company, Citizens Heat, Light and Power Company and American Gas and Electric Company, File No. 70-3195.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and its public-utility subsidiaries, Indiana & Michigan Electric Company ("Indiana") and Citizens Heat, Light and Power Company ("Citizens") have

filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (a), 7, 9, 10, 11, 12 (d) and 12 (f) of the act and Rules U-43, U-44, and U-45 of the rules and regulations promulgated thereunder as being applicable to the proposed transactions which are summarized as follows:

In general, the proposed transactions relate to a program involving the acquisition by Indiana of the assets of Citizens and the subsequent liquidation and dissolution of Citizens. It is proposed that the foregoing program will be effected through the consummation of the following transactions:

(1) Citizens will restate the provisions of its Articles of Incorporation to accept the provisions of the Indiana General Corporation Act of 1929 so as to clarify the legal steps to be taken to consummate the transfer of its assets to Indiana and its subsequent dissolution;

(2) Citizens will transfer all of its assets to Indiana and will cease rendering service to the public in Indiana;

(3) Indiana will acquire all of the assets of Citizens and will render service to the public in the area theretofore served by Citizens;

(4) Indiana will issue to Citizens 7,000 shares of Common Stock, without par value, of Indiana and will assume all liabilities, contingent or matured, of Citizens;

(5) Citizens will liquidate and dissolve and, in connection therewith, will transfer to American Gas the 7,000 shares of Common Stock, without par value, of Indiana theretofore received by Citizens; and

(6) American Gas will make a capital contribution to Indiana of the indebtedness of Citizens held by American Gas and assumed by Indiana in connection with the acquisition of the assets of Citizens.

It is requested that any order of the Commission relating to the transactions herein described contain the recitals referred to in section 1808 (f) of the Internal Revenue Code, as amended.

It is stated that the issuance by Indiana of its common stock to Citizens and the assumption by Indiana of the liabilities of Citizens will be effected only pursuant to an order of the Michigan Public Service Commission and that the sale by Citizens of its assets to Indiana, the acquisition thereof by Indiana, the issuance by Indiana and acquisition by Citizens of the common stock of Indiana, the assumption by Indiana of the liabilities of Citizens and the transfer to American Gas of the common stock of Indiana will be effected only pursuant to an order of the Public Service Commission of Indiana. It is requested that the order of this Commission to be entered herein be made effective upon issuance.

Notice is further given that any interested person may, not later than March 1, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons

for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 1, 1954, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-1211; Filed, Feb. 19, 1954;
8:48 a. m.]

[File No. 70-3198]

ALABAMA POWER CO.

NOTICE OF PROPOSED ISSUE AND SALE OF
PRINCIPAL AMOUNT OF FIRST MORTGAGE
BONDS

FEBRUARY 15, 1954.

Notice is hereby given that Alabama Power Company ("Alabama"), a public utility subsidiary of the Southern Company, a registered holding company, has filed with this Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("the act"), designating section 6 (b) of the act and Rule U-50 thereunder as applicable to the proposed transaction, which is summarized as follows:

Alabama proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, \$17,000,000 principal amount of First Mortgage Bonds, -- percent Series due 1984. The new Bonds will be secured by a Supplemental Indenture to be dated as of March 1, 1954 between Alabama and Chemical Bank & Trust Company, Trustee. The interest rate (which will be a multiple of $\frac{1}{8}$ of 1 percent) and the price to be paid to Alabama (which will be not less than 100 percent nor more than 102 $\frac{3}{4}$ percent of the principal amount, exclusive of accrued interest from March 1, 1954 to date of payment and delivery) will be determined by competitive bidding.

Alabama proposes to use the proceeds from the sale of the new bonds, together with other available funds, for the construction or acquisition of permanent improvements, extensions and additions to its property and for the payment of short-term bank loans in the amount of \$4,790,000 incurred for such purpose.

The issue and sale of said bonds have been expressly authorized by the Public Service Commission of Alabama, in which State Alabama is organized and doing business.

Alabama requests that the order of the Commission herein be made effective upon issuance.

Notice is further given that any interested person may, not later than March 3, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, said application, as filed or as amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-1208; Filed, Feb. 19, 1954;
8:48 a. m.]

[File No. 812-864]

SCRIPPS-HOWARD INVESTMENT CO.

NOTICE OF FILING REQUESTING ORDER
EXEMPTING TRANSACTION BETWEEN AFFILIATES

FEBRUARY 16, 1954.

Notice is hereby given that the Scripps-Howard Investment Company ("Scripps-Howard"), Cincinnati, Ohio, a registered closed-end non-diversified investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 ("act") for an order exempting from the prohibitions contained in section 17 (a) of the act the transaction described below whereby Scripps-Howard proposes to sell to NEA Service, Inc. ("NEA"), a Delaware corporation, 300 shares of Class A Common stock of NEA at a price of \$150 per share in cash.

NEA, the oldest newspaper feature service in the country, is engaged in furnishing to newspapers a complete feature budget comprising news feature stories, special articles, illustrations, comics, cartoons, editorials, magazine pages for Sunday newspapers, women's pages and other departmental newspaper material. NEA's capitalization consists of 9,000 shares of Common Voting stock, all of which is owned by the E. W. Scripps Company ("EWS"), and 31,000 shares of Class A Common stock, of which 4,470 shares are owned by EWS, 8,850 shares are owned by Scripps-Howard and 7,680 shares are owned by eight officers and directors of NEA and members of their families. Applicant represents that the holders of Common Voting stock and Class A Common stock have identical rights and privileges except that the holders of Class A Common stock do not have voting rights. Of the 8,850 shares of Class A Common owned by Scripps-Howard, 1,087 $\frac{1}{2}$ shares are subject to an

option for repurchase by NEA, pursuant to an option agreement dated May 5, 1938 between NEA and a predecessor company of Scripps-Howard. The 300 shares proposed to be sold at this time are among those subject to such option agreement.

The application states that Scripps-Howard is advised that NEA has exercised its option for the repurchase of the 300 shares of Class A Common in order that NEA may resell such shares promptly in early 1954 to certain key officers and employees of NEA subject to similar options for repurchase by NEA.

The application further states that the repurchase option provides that the price to be received by Scripps-Howard upon the exercise of the option shall be the fair value at the time of exercise as determined by appraisers, but not less than the cost of \$145.93 per share, plus interest, less dividends paid and interest on the dividends. Scripps-Howard and NEA have determined that the fair value under the option agreement is \$150 per share. The applicant represents that the price of \$150 per share is in excess of the alternate price specified in the option agreement.

There is no established market for the Class A Common; on January 31, 1952, NEA sold an aggregate of 230 shares to three of its officers and/or directors at a price of \$150 per share; on April 14, 1949, Fred S. Ferguson, president and director of NEA, bought 150 shares at a price of \$150 per share; and on December 31, 1948, NEA sold an aggregate of 300 shares at \$150 per share to three officers and/or directors. Earnings for the years 1943 through 1953 (including an estimate for the year 1953 of \$9.77 per share) have averaged \$10.86 per share of Voting Common and Class A Common, and during the same period dividends paid per annum have averaged \$7.82 per share; dividends paid in 1952 and 1953 amounted to \$7.50 per share.

The application states that EWS is the owner and holder of record of 92,772 shares (approximately 15.8%) of Scripps-Howard's outstanding 587,668 shares of common stock. Thus EWS is an "affiliated person" of Scripps-Howard under the act. As indicated above, EWS owns 100 percent of the voting securities of NEA, and therefore the latter is an "affiliated person" of EWS.

Section 17 (a) of the act prohibits, among other things, an affiliated person of a registered investment company, including an affiliate of such a person, from purchasing any security or property from such registered company, subject to one exception, unless the Commission upon application pursuant to section 17 (b) of the act, grants an exemption from the provisions of section 17 (a) of the act upon the basis that the evidence establishes that the terms of the proposed transaction, including the consideration, are reasonable and fair and do not involve overreaching on the part of anyone concerned, that the proposed transaction is consistent with the policy of each registered investment company

concerned as recited in its registration statement and reports filed under the act and is consistent with the general purposes of the act.

Notice is further given that any interested person may, not later than February 26, 1954, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing

be held, such request stating the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time

after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 54-1212; Filed, Feb. 19, 1954;
8:49 a. m.]